

R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

BELFAST CORPORATION (LUNATIC ASYLUMS, &c.) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

M I N U T E S O F E V I D E N C E,

A N D I N D E X.

*Ordered, by The House of Commons, to be Printed,
25 May 1892.*

L O N D O N:
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BELFAST CORPORATION (LUNATIC ASYLUMS, &c.) BILL.

Ordered,—[Monday, 29th February 1892].—THAT the Order for Committee be discharged.

THAT the Bill be committed to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

THAT all Petitions against the Bill presented three clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

THAT the Committee have power to send for Persons, Papers, and Records.

THAT Three be the Quorum of the Committee.

Committee nominated of,—

Sir Edward Harland.
Mr. Knox.
Mr. T. W. Russell.
Mr. Sexton.

Nominated by the House,
[Thursday, 24th March 1892.]

Mr. Arthur Elliot.
Mr. Shaw Lefevre.
Mr. Salt.

Added by the Committee of Selection,
[Friday, 25th March 1892.]

Ordered,—[Thursday, 31st March 1892].—THAT Mr. Salt be discharged, and Mr. Hincks added to the Committee.

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R E P O R T.

THE SELECT COMMITTEE to whom the BELFAST CORPORATION (LUNATIC ASYLUMS, &c.) BILL was referred, have considered the said Bill, and taken Evidence thereon, and have gone through the Bill, and made Amendments thereunto.

25 *May* 1892.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 29th March 1892.

MEMBERS PRESENT:

Sir Edward Harland.
Mr. Arthur Elliot.
Mr. Sexton.

Mr. T. W. Russell.
Mr. Shaw Lefevre.
Mr. Knox.

Mr. SHAW LEFEVRE was called to the Chair.

The Committee deliberated.

[Adjourned till Tuesday, 2nd May, at Half-past Eleven o'clock.

Tuesday, 2nd May 1892.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. Sexton.
Mr. T. W. Russell.
Mr. Hinckes.

Mr. Arthur Elliot.
Mr. Knox.
Sir Edward Harland.

BELFAST CORPORATION (LUNATIC ASYLUMS, &c.).

Counsel :—Mr. Pope, Q.C., and Mr. J. D. Fitzgerald.

Agents :—Messrs. Dyson.

Petitions against the Bill read.

1. Compayers and Members of Committee of Grand Jury of County Down.

Counsel :—Mr. Harrison.

Agents :—Messrs. Sherwood.

2. Roman Catholic Inhabitants of Belfast.

Counsel :—Reserved.

Agents :—Messrs. Rice & Freese.

3. Grand Jury of County of Antrim.

Counsel :—Reserved.

Agents :—Messrs. Rice & Freese.

Preamble read the first time.

Mr. Pope, Q.C., was heard on behalf of the Promoters of the Bill, and called evidence.

Mr. Samuel Black and Sir James Harliff were sworn, and examined.

[Adjourned till Thursday next, at Half-past Eleven o'clock.

Thursday, 5th May 1892.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Sir Edward Harland.
Mr. Sexton.
Mr. T. W. Russell.

Mr. Knox.
Mr. Arthur Elliot.
Mr. Hinckes.

BELFAST CORPORATION (LUNATIC ASYLUMS, &c.) BILL.

Mr. Daniel Dixon, Mr. Charles C. Connor, Dr. Alexander Merrick, and Dr. George Plunkett O'Farrell, were sworn, and examined.

[Adjourned till Monday next, at Half-past Eleven o'clock.]

Monday, 9th May 1892.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Sir Edward Harland.
Mr. Sexton.
Mr. T. W. Russell.

Mr. Hinckes.
Mr. Arthur Elliot.
Mr. Knox.

BELFAST CORPORATION (LUNATIC ASYLUMS, &c.) BILL.

Mr. C. M'Lorinan, and Mr. Patrick Dempsey, were sworn, and examined.

Dr. George Plunkett O'Farrell was further examined.

[Adjourned till Thursday next, at Half-past Eleven o'clock.]

Thursday, 12th May 1892.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. Sexton.
Mr. T. W. Russell.
Mr. Hinckes.

Mr. Arthur Elliot.
Mr. Knox.

The Most Reverend Patrick M'Alister, Mr. William M'Cormick, and the Reverend Daniel M'Caskey, were sworn, and examined.

[Adjourned till To-morrow, at Twelve o'clock.]

Friday, 13th May 1892.

MEMBERS PRESENT:

Mr. ARTHUR ELLIOT in the Chair.

Mr. Hinckes.
Mr. Sexton.

Sir Edward Harland.
Mr. T. W. Russell.

The Reverend James Hassell was sworn, and examined.

[Adjourned till Thursday next, at Half-past Eleven o'clock.]

Thursday, 19th May 1892.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. Arthur Elliot.	Mr. Knox.
Sir Edward Harland.	Mr. T. W. Russell.
Mr. Hinckes.	Mr. Sexton.

BELFAST CORPORATION (LUNATIC ASYLUMS, &c.) BILL.

Mr. Fitzgerald was heard on behalf of the Promoters of the Bill.

Room cleared.—Committee deliberated.

{Adjourned till Monday next, at Half-past Eleven o'clock.

Monday, 23rd May 1892.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. T. W. Russell.	Mr. Knox.
Mr. Sexton.	Mr. Hinckes.
Mr. Arthur Elliot.	Sir Edward Harland.

Room cleared.—Committee deliberated.

Motion made, and Question put, That the Preamble be now considered—(The Chairman).—The Committee divided:

Ayes, 4.	Noes, 2.
Mr. Arthur Elliot.	Mr. Sexton.
Mr. T. W. Russell.	Mr. Knox.
Mr. Hinckes.	
Sir Edward Harland.	

Preamble read a second time.

Amendment proposed, in page 2, line 9, to leave out from the word "Asylum" to the word "district," in line 12—(Mr. Sexton).—Question put, That the words proposed to be left out stand part of the Preamble.—The Committee divided:

Ayes, 4.	Noes, 2.
Mr. Arthur Elliot.	Mr. Sexton.
Mr. Hinckes.	Mr. Knox.
Mr. T. W. Russell.	
Sir Edward Harland.	

Another Amendment proposed, in page 4, lines 17—25, to leave out from the words "and whereas" to the word "City" inclusive—(Mr. Arthur Elliot).—Question put, That the words proposed to be left out stand part of the Preamble.—The Committee divided:

Ayes, 3.	Noes, 3.
Mr. Hinckes.	Mr. Sexton.
Mr. T. W. Russell.	Mr. Knox.
Sir Edward Harland.	Mr. Arthur Elliot.

Whereupon the Chairman declared himself with the Noes.

Motion made, and Question proposed, That the Preamble, as amended, is proved—(The Chairman).—Question put.—The Committee divided:

Ayes, 4.	Noes, 2.
Mr. Arthur Elliot.	Mr. Sexton.
Mr. T. W. Russell.	Mr. Knox.
Mr. Hinckes.	
Sir Edward Harland.	

Parties called in, and informed thereof.

Clauses amended, and considered.

Amendment proposed, in Clause 3, line 3, to leave out the word "Corporation," and insert the words "Governors of the Hospital"—(Mr. Knox).—Question put, That the word "Corporation" stand part of the Clause.—The Committee divided:

Ayes, 4.
Mr. Arthur Elliot.
Mr. T. W. Russell.
Mr. Hinckes.
Sir Edward Harland.

Noes, 2.
Mr. Sexton.
Mr. Knox.

Clauses 3—5 agreed to.

[Adjourned to Wednesday next, at Twelve o'clock.

Wednesday, 25th May 1892.

MEMBERS PRESENT:

MR. SHAW LEFVER in the Chair.

Mr. T. W. Russell.
Mr. Sexton.
Mr. Arthur Elliot.

Mr. Hinckes.
Sir Edward Harland.
Mr. Knox.

The Committee proceeded with the Clauses of the Bill.

Clause 6.—Amendment proposed, in line 11, to leave out the word "four" and insert the word "five."—(Mr. Sexton).—Question put, That the word "four" stand part of the Clause.—The Committee divided:

Ayes, 4.
Mr. Arthur Elliot.
Mr. Hinckes.
Mr. T. W. Russell.
Sir Edward Harland.

Noes, 2.
Mr. Sexton.
Mr. Knox.

Clause agreed to.

Clause further considered, and amended.

Clause 11.—Question put, That the Clause stand part of the Bill.—The Committee divided:

Ayes, 4.
Mr. Arthur Elliot.
Mr. Hinckes.
Mr. T. W. Russell.
Sir Edward Harland.

Noes, 2.
Mr. Sexton.
Mr. Knox.

Clause 12.—Amendment proposed, at the end of the Clause, to add the words "provided that they shall be defrayed out of the Police Rate in so far as they exceed the maximums heretofore paid by the city for these purposes"—(Mr. Knox).—Question put, That those words be there added.—The Committee divided:

Ayes, 2.
Mr. Sexton.
Mr. Knox.

Noes, 4.
Mr. Arthur Elliot.
Mr. Hinckes.
Mr. T. W. Russell.
Sir Edward Harland.

The Committee went through remaining Clauses of the Bill, and made several Amendments thereunto.

Ordered, To Report the Bill, as amended, to the House.

Ordered, To Report.

EXPENSES OF WITNESSES.

NAME OF WITNESS.	PROFESSION or CONDITION.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Allowances during Absence from Home.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
The Rev. D. McClachlan	Clergyman	Belfast	3	£ s. d. 7 7 -	£ s. d. 2 14 -	£ s. d. 39 1 -
Mr. F. Donaghy	Gentleman	Belfast	4	4 4 -	3 14 -	6 18 -
Mr. G. H'Lorcan	Merchant	Belfast	4	4 4 -	3 14 -	6 18 -
Mr. William McCormack	Land Surveyor	Belfast	7	14 14 -	4 10 -	39 10 -
Rev. James Hazell	Parish Priest	Belfast	8	8 8 -	3 19 -	32 7 -
TOTAL				38 17 -	16 17 -	53 14 -

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MINUTES OF EVIDENCE.

Monday, 2nd May 1892.

MEMBERS PRESENT :

Mr. Arthur Elliot.
 Sir Edward Harland.
 Mr. Hinckes.
 Mr. Knox.

Mr. Shaw Lefevre.
 Mr. T. W. Russell.
 Mr. Sexton.

THE RIGHT HONOURABLE GEORGE JOHN SHAW LEFEVRE, IN THE CHAIR.

THE Petition for the Bill was read.

Mr. Pope, Q.C., and Mr. J. D. Fitzgerald appeared as Counsel for the Promoters of the Bill; Messrs. Dixon and Company appeared as Agents.

The following Petitions against the Bill were read:

The PETITION of the Cesspayers and Members of Committee of Grand Jury of County Down.

Mr. Harrison appeared as Counsel in support of the Petition.

Messrs. Sherwood and Company appeared as Agents.

The PETITION of the Roman Catholic Inhabitants of Belfast.

Counsel reserved.

Messrs. Ross and Frere appeared as Agents.

The PETITION of the Grand Jury of the County of Antrim.

Counsel reserved.

Messrs. Ross and Frere appeared as Agents.

The PETITION of the Inhabitants and Ratepayers of Belfast and Cesspayers of the County of Antrim.

No person appeared in support of this Petition.

Mr. Pope was heard to open the case for the Promoters of the Bill.

Mr. SAMUEL BLACK, sworn; and Examined.

Mr. J. D. Fitzgerald.

1. You are the Town Clerk for the City of Belfast?—Yes.

2. The city is situated partly in the county of Antrim and partly in the county of Down?—It is; the greater part of it is in the county of Antrim.

3. Belfast, I think, is not a county of a city or a county of a town?—It is not.

4. It has no grand jury of its own or the power of making presentments?—It has not.

5. Therefore, under the Acts relating to the lunatic poor in Ireland it was impossible to constitute Belfast a separate district by order of the Lord Lieutenant?—It was held so. I advised the Corporation to that effect; and that advice was subsequently confirmed by the law officers of the Crown.

6. It could only be done by a special Act?—That is the only way.

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Mr. J. D. Fitzgerald—continued.

7. One or two general questions as to the Acts relating to the lunatic poor in Ireland. The principal Act is the Act 1 & 2 George IV., cap. 33?—Yes.

8. And under that Act as stated by my learned friend, Mr. Pope said in his opening, the Lord Lieutenant has power to constitute districts for the relief of the lunatic poor with asylums?—He has.

9. As that Act stands, those districts must consist either of one or more counties, or counties of cities, or counties of towns?—Yes.

10. And you cannot constitute a district containing a part of a county, or a part of a county of a city?—You cannot.

11. Then the Lord Lieutenant has power to alter the districts from time to time, but still retaining

A

2 May 1892.]

Mr. BLACK.

[Continued]

Mr. J. D. Fitzgerald—continued.

retaining the whole county, or the whole county of a city, as the case may be?—Exactly so.

12. The lunatic asylums themselves are vested in a central body in Dublin, called the Board of Control?—They are.

13. The Board of Control being appointed by the Lord Lieutenant?—Yes.

14. All the governors are appointed by the Lord Lieutenant?—They are. He usually intimates, and in our case he intimated to the Grand Jury of Antrim, that they should nominate a certain number, from whom he would select six, and to the Corporation of Belfast that they should also nominate a certain number, from whom he would select six, whom he would appoint.

Chairman.

15. Are the governors all over Ireland appointed in this way?—Yes. The Lord Lieutenant some time ago intimated that, in place of appointing absolutely the parties without consulting any one, he would communicate with the corporate bodies or the Grand Juries, and allow them to select a certain number, and he would then add a certain number himself.

Mr. T. W. Russell.

16. Practically in effect the local body nominates a certain number, and the Lord Lieutenant the remainder?—Yes.

17. What is the total number of governors?—It is 23 or 24 for the asylum at Belfast; the Corporation nominates six; the Lord Lieutenant may take those six or not, as he pleases; and the Grand Jury of Antrim nominates six others; the same provision applies to them, and then the Lord Lieutenant practically nominates the others absolutely.

Mr. Sexton.

18. The Government pay one-half the cost of the asylum and the local bodies pay the other half. The Government of their own motion nominate half the governors, and the local bodies nominate the other half, according to their proportion of the contribution?—Yes, subject to the approval of the Lord Lieutenant.

Chairman.

19. That is the practice, not the law, as I understand?—That is the practice under a circular issued by the Lord Lieutenant.

Mr. J. D. Fitzgerald.

20. Under the Acts the Lord Lieutenant has absolute power of appointing all the governors?—Yes, he has absolute power of appointing all the governors.

21. The money is advanced by the Government under the order of the Lord Lieutenant?—It is advanced out of the Consolidated Fund, and repaid by instalments.

22. When an alteration is made in an existing district by the Lord Lieutenant, there is a financial adjustment carried out by the Lord Lieutenant in Council, is there not?—Certainly.

23. The district that is going out receives, or pays, as the case may be, what the Lord Lieutenant finds to be equitably due?—Such is the law.

Mr. J. D. Fitzgerald—continued.

24. I believe the first district was constituted in the year 1825?—It was; that is the first district of Belfast.

25. That district included the county of Antrim, the county Down, the county of Londonderry, and the county of the city of Londonderry?—Yes.

26. Then in 1828 the city and county of Londonderry were taken out of that district?—They were.

27. The county of the town of Carrickfergus was added to the district?—Yes.

28. From that time up to 1861 the district was composed of the county of Antrim, and the county of the town of Carrickfergus?—And county Down.

Mr. T. W. Russell.

29. Is Carrickfergus a county of a town?—It is.

Mr. J. D. Fitzgerald.

30. In 1829 the asylum was first opened?—Yes.

31. In 1861 an order was made by the Lord Lieutenant for the separation of the county Down from the residue of the district, and erecting a separate lunatic asylum in the county of Down?—Yes. The Down Asylum was not opened till 1869, but the order was made in 1861.

32. The lunatic asylum for county Down was opened in 1869?—Yes.

33. Since then all the patients in county Down have been treated in that asylum?—Yes.

34. On that separation taking place did a financial adjustment take place between the two districts?—Yes; the Lord Lieutenant fixed the contribution that was to be paid by the county of Antrim and the county of the town of Carrickfergus to the county Down. The amount of that contribution was 22,705 l. 6 s. 10 d.

35. That amount was repaid by the Antrim district to the county Down in respect of the interest which the county Down previously had in the Belfast Asylum?—That is so. Of that amount the county of the town of Carrickfergus was to contribute 590 l. 10 s.; and by arrangement between the county of Antrim and county Down, Belfast contributed 40 per cent. of the balance.

36. In the year 1865 the County of Antrim and Belfast Borough Act was passed?—Yes.

37. For separating so much of Belfast as is within the county of Antrim from that county, for Grand Jury purposes?—For certain Grand Jury purposes.

38. I do not think, as we have settled with the Grand Jury of Antrim, we need go into the details of that measure; but so far as the lunatic asylum is concerned, the result was that 50 per cent. of the expense connected with the Belfast Lunatic Asylum is contributed by the Corporation, and 50 per cent. by the residue of the county of Antrim, including Carrickfergus?—That is so.

Mr. Sexton.

39. That is to say, 50 per cent. of their half, the Government paying one half?—Yes. The allowance

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MR. BLACK.

[Continued.]

Mr. Sexton—continued.

allowance is not 50 per cent.; it is not exactly half.

40. What does it come to, in effect?—I shall have to get it from the accounts. I think Dr. Merrick could give it better than I can.

Mr. Sexton.] Very well. (To Mr. J. G. Fitzgerald.) I suppose we may take it that whatever is required after the contribution of the Government is paid half by the county and half by the city?

Mr. J. D. Fitzgerald.

41. Yes, that is the correct way to put it. The amount presented by the Grand Jury as the total contribution towards the asylum is divided between the county of Antrim and the city of Belfast in equal proportions. (To the Witness.) Continuing with regard to the Lunatic Asylum, has it been found for some years past that additional accommodation was required in the Belfast Lunatic Asylum?—Yes; it was insufficient for the number of patients.

Chairman.

42. Has there been only one asylum hitherto for both?—That is all.

Mr. J. D. Fitzgerald.

43. The present Belfast Lunatic Asylum is within the city of Belfast, I believe?—It is.

44. Is that the asylum for the whole of the county of Antrim?—At present it is the asylum for the whole of the county of Antrim.

45. I think the Government Inspector, Dr. O'Farrell, reported on that in his Report of 1890?—Yes.

46. He is here, I believe. It is the Report of Dr. O'Farrell and Dr. Courtenay. They say, "It is needless for us to refer to the overcrowded state of the institution, which makes itself apparent in every department, but more especially in the male wards, where the day-room accommodation is only sufficient for 137 inmates. In some parts of the female side the accommodation would appear equally deficient, especially in the wards for acute cases. This is a matter well known to the governors, who for a long time have had the question of providing the required accommodation constantly under their consideration. We understand that the Grand Jury of the County Antrim have decided to erect an asylum for that county, and we trust that no obstacle will arise to prevent this proposal being carried into effect, as at present Antrim, one of the most wealthy counties in Ireland, is practically without a hospital for the treatment of its insane poor, this institution being barely sufficient to meet the requirements of the city of Belfast." In consequence of these various reports has the matter come from time to time under the consideration of the Council, and also the governors of the asylum, and the Grand Jury?—Several resolutions were from time to time sent to us, both by the governors of the asylum and the Grand Jury of Antrim, suggesting a reconsideration of the matter.

47. Even before this Report of the inspectors the Council had practically expressed their opinion upon the subject by a resolution of the 4th April 1889, if you have got that before you?

Mr. J. D. Fitzgerald—continued.

—I have a print of all the resolutions, and if you wish I could hand them in.

Mr. Sexton.] I think the resolutions had better be handed in. (*The Witness handed in copies of the Resolutions*.)

Mr. J. D. Fitzgerald.] The first resolution I need call your attention to is a Resolution passed on the 4th April 1889, by the Council of the Corporation in Committee. "Resolved: 'That the Governors of the District Lunatic Asylum be informed, in reference to the proposed increased accommodation at the Asylum—(1.) That this Council is of opinion that no action should be taken in the matter until the new Board has been constituted. (2.) That if the county of Antrim is desirous of providing a separate establishment for their own lunatics, this Council would be prepared to recommend the city to take over the present Asylum, and to pay to the county their proportion of the valuations which have been made of the site.'"

Mr. Kees.

48. Will you tell me what "the new Board," there spoken of, means?—It was proposed to change the constitution of the Board. In the first instance the Lord Lieutenant had appointed, as I said, without reference to the local bodies. Immediately preceding this date a circular was sent to say the Corporation should nominate six for the Lord Lieutenant's approval, the Grand Jury six, and he would appoint the remainder.

Mr. T. W. Russell.

49. It was at this time that the new arrangement came into force?—Yes; that is the new Board referred to there.

Mr. J. D. Fitzgerald.

50. Then at the Spring Assizes of the same year the Grand Jury resolved: "That in the opinion of this Grand Jury the best solution of the question of increased Lunatic Asylum accommodation will be—(1.) To make the present Asylum one for the city of Belfast alone, the terms of sale from the county to the town to be arranged on the same principles as those adopted when the county Down gave up its interest in this asylum. (2.) That in that event an asylum for this county should be provided in a more central position in the county, say, near Antrim or Ballymena." Now I think practically the Bill follows the precedent of the Down transfer that occurred in 1869?—Practically so.

51. Then the next Resolution, on the 10th March 1890, by the Governors of the Asylum was, "That this Board having carefully considered several schemes for providing increased accommodation for the insane for this district is of opinion that a second asylum should be built; and they suggest that the city of Belfast should acquire the present site and buildings, paying to the county Antrim their fair proportion of the value of the same towards the cost of a new asylum to be built by the county." I do not think it is necessary to go through all these resolutions.

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MR. BLACK.

[Continued.]

Mr. Sexton.] Going back for a moment to the resolution of the Grand Jury of Antrim, at the Spring Assizes, they make a suggestion in paragraph 3; and I would like to ask if anything further occurred upon that suggestion.

Mr. J. D. Fitzgerald.] They say, "That if this accommodation can be obtained by an amalgamation of some of the union workhouses in the county which are at present scarcely half full, in such a manner as to leave one of them available for the purpose of an asylum, it will be the best arrangement." I do not know whether anything was done upon that.

Witness.] Nothing that I know of, with the exception that, previously to that date, I believe the Board of Governors, with the consent of the Board of Control, arranged with the guardians of Ballymena to take over 100 of the lunatics and keep them in a portion of the workhouse at Ballymena.

Mr. Knox.

52. Was that arrangement carried through—Yes, and is in existence at the present moment. In fact, Belfast Asylum could not accommodate all the patients for the county and city at present, were it not for the arrangement that 100 are boarded at the workhouse at Ballymena.

53. That workhouse is still used as a workhouse, is it not?—Yes, not exclusively as an asylum.

Mr. Sexton

54. Is it correct, as is intimated here, that the workhouses in the county, such as Ballymena, are scarcely half full?—I have no personal knowledge as to that.

55. You are not aware?—I am not aware.

Mr. J. D. Fitzgerald.

56. Having regard to the fact of the present Belfast Asylum being insufficient for the number of patients, it was necessary to do something at once?—Yes.

57. And for that reason a certain number of patients were sent to the workhouse at Ballymena?—Yes, 100 of them.

Mr. Knox.

58. I see a report of Mr. Owen is referred to in these resolutions; could you tell us shortly what it was?—I have a copy of the Reports, which perhaps I had better give you. This is the Report of the late Mr. Owen, of the Board of Works, of the 19th March 1890 (*handing in the same*).

Mr. J. D. Fitzgerald.

59. In consequence of these resolutions having been passed, steps were taken by the governors of the asylum to acquire a new site for the county of Antrim in a central position in that county?—Yes, at a place called Holywell, near Antrim.

60. Was the purchase of that site sanctioned by the Lord Lieutenant, on the understanding that the city of Belfast and the county were to

Mr. J. D. Fitzgerald—continued.

be separated?—We were so informed by the Secretary of the Board of Control.

61. Without reading the resolution in detail, on the 7th January 1891 the Town Council of Belfast passed a resolution agreeing to the separation of the district, and to promote a Bill, if necessary, for that purpose?—Yes.

62. Then, at the Spring Assizes, the Grand Jury of the county of Antrim passed a resolution saying that they would not oppose.

Mr. Sexton.] I observe, however, in that resolution they concluded by saying, "They are of opinion that the administration of such laws" (that is the laws relating to lunatics) "could be more economically carried out by continuing the connection between the city and the county."

Mr. J. D. Fitzgerald.] Yes. The whole resolution is this: "That inasmuch as the City Council, by resolution, have expressed their desire to separate from the county of Antrim, so far as the arrangements for the administration of the laws relating to lunatics is concerned, this Grand Jury are not disposed to throw any difficulty in the way of such separation, although they are of opinion that the administration of such laws could be more economically carried out by continuing the connection between the city and the county."

Chairman.] What date is that?

Mr. J. D. Fitzgerald.] The date is the Spring Assizes of 1891. Then, at the Summer Assizes of 1891, they passed a further resolution: "It having been stated that a legal opinion had been obtained by the City Council of Belfast, that under the existing Acts of Parliament the projected separation of the city of Belfast and county of Antrim, as a district for asylum purposes cannot be carried into effect: Resolved, 'That the attention of His Excellency, the Lord Lieutenant, be directed to this state of the law, with a view to its amendment, if necessary.' Resolved, 'That in the event of the intended separation between the city of Belfast and the county of Antrim being carried into effect, and a new asylum for the county erected on the site which has been procured in the vicinity of the town of Antrim, it will be desirable that a board of governors be appointed at an early date.'" I do not think the rest of the resolution has any bearing upon the question now before us.

Mr. Knox.

63. (To the Witness.) Have you the names of the gentlemen appointed at the same time on the recommendation of the Corporation of Belfast?—I can give you them from memory. Do you mean for the present year?

64. I suppose we had better have them for the present year?—For the present year they are the Mayor, Sir James Haslett, Mr. Charles Connor, Mr. Samuel Lowther, Mr. William John Johnston, and Sir David Taylor.

65. Do

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Mr. BLACK.

[Continued.]

Mr. Sexton.

65. Do the Corporation recommend none except members of their own body to be governors of the asylum?—They have recommended only members of their own body.

Mr. J. D. Fitzgerald.

66. Taking these further resolutions shortly; on the 13th July 1891 there was a further resolution of the governors, and there was a further meeting of the governors of the asylum on the 12th October 1891, from which it appears from the minutes that Mr. Lane, the solicitor to the Commissioners of Control; that is the central body in Dublin?—Yes.

67. "Gave an outline of the present condition of affairs, and quoted from an opinion of the law advisers that separation could not be effected without the passing of a special Act for that purpose; but that, pending legislation, the Lord Lieutenant may permit this board, as a board for the whole present district, to make arrangements for the erection of proposed asylum at Holywell." Then there was a resolution passed: "That this board of governors proceed to consider the plans proposed for the additional asylum at Holywell; that the Board of Control be requested to acquaint the town council with the legal aspect of the question and the necessity of obtaining an Act of Parliament to enable separation to take place, and that they be invited to consider whether they are prepared to promote a Bill for that purpose?"—I received that resolution from the board of governors.

68. That resolution being sent to you, I think it was followed by a letter from the Board of Control?—Yes.

69. Have you got the letter there stating the opinion?—

Chairman.] Need we have the letter? We may take it briefly that there was such a letter.

Witness.] There was a letter from the Board of Control informing us that the law advisers were of opinion that it was necessary.

Mr. J. D. Fitzgerald.

70. They have advised that a special Act was necessary, and that the Corporation of Belfast were the proper parties to promote it. Then, going on with the resolution, did your Council on the 17th October resolve to promote an Act?—They did.

Mr. Sexton.] Looking at the extract of proceedings of the 12th October, from which you quoted just now, in the two last lines of the first paragraph it says: "Pending legislation, the Lord Lieutenant may permit this board, as a board for the whole present district, to make arrangements for the erection of proposed asylum at Holywell." I should like it to be made clear if I am right that the question of the provision of a second asylum is separate from the Bill; that, in fact, arrangements have been concluded for a second asylum, apart from the Bill.

Mr. J. D. Fitzgerald.] To this extent, Sir; that the arrangement for the second asylum was sanctioned by the Lord Lieutenant on the distinct understanding that the separation of the two districts was to be carried out. It is true under the existing legislation he was enabled to give that sanction; and that sanction was accordingly given without the passing of this Bill, but it was in anticipation of it.

Mr. Sexton.] At all events the Committee need not consider the question of the insufficiency of the present asylum at Belfast, seeing that arrangements have been concluded for a second asylum.

Mr. J. D. Fitzgerald.] Arrangements have been completed for the purchase of a site, but how far in that event the Lord Lieutenant would give authority for the erection is a matter I could not speak to.

Mr. Sexton.] I suppose the Board of Control could tell us about that.

Mr. J. D. Fitzgerald.] It is possible they might be able to do so; I do not know how far they can speak for the Lord Lieutenant; I should say the Board of Control is assenting to the Bill.

Sir Edward Harland.

71. (To the Witness.) Has the site been actually fixed and purchased?—Yes. They have not yet commenced to build.

Mr. J. D. Fitzgerald.

72. Continuing these resolutions for one moment more, on the 1st of December 1891 the statutory meeting of the Corporation was held under the Borough Funds Act, for promoting the Bill?—Yes, and the resolution was passed unanimously.

73. Then after you had held that statutory meeting, and the Bill had actually been drafted, I believe the governors of the asylum passed a resolution rescinding their original resolution?—Yes.

Mr. Sexton.

74. Is that here?—Yes. You will find that in the extract from the proceedings of the 14th December 1891.

Mr. J. D. Fitzgerald.

75. Coming to the question that has been suggested of the more economical management under one board than under two, if there are to be two asylums at a considerable distance from each other is there any economy, so far as you can see, in having one board as compared with two?—Certainly not. The board of governors do not receive any remuneration whatever; and consequently whether it is one board or two makes no difference in expense so far as they are concerned. For two asylums so far distant from each other there must of necessity be two separate and distinct staffs, so far as I am informed and believe.

Mr. Sexton.

76. What is the distance between them?—About 16 or 18 miles.

77. In

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Mr. BLACK.

[Continued.]

Mr. J. D. Fitzgerald.

77. In your opinion would it be less expensive to the city to have their own asylum and be constituted a separate district?—I am clearly of that opinion.

78. Will it also work more conveniently, inasmuch as the governors of the City Asylum would naturally be taken from the city?—Yes; they are generally speaking merchants of Belfast; and I am quite satisfied they would not attend board meetings at Antrim and necessarily lose a day there for the purpose.

79. Then the county, in building its new asylum, would be able to adapt it exactly to the wants of the county, and not be hampered by any consideration respecting the city?—Certainly.

80. That is all I need ask you with regard to the asylum?—I am informed by the medical officer that there must of necessity be one receiving house; if there were two asylums one must be the receiving house for all the patients; and so it would be necessary, for instance, to bring all the patients from the county Antrim to Belfast, and afterwards to send them out to the second asylum if necessary.

81. That, I presume, would involve some additional expense?

Mr. Sexton.] Of course that might be met by a special provision, might it not?

Mr. J. D. Fitzgerald.] I should have thought not.

Mr. Sexton.] Surely if you adopt the novelty of two asylums under one board, you could also modify the law so far as to allow either house to be a receiving house.

Mr. J. D. Fitzgerald.] I did not understand that was a question of law, but only a question of medical practice.

Chairman.] All these questions would arise better under the cross-examination of this witness, or subsequent witnesses; it is rather a matter of argument now between members of the Committee and the learned Counsel.

Mr. J. D. Fitzgerald.

82. I do not understand that it is a question of law, but merely a question of medical practice. (To the Witness.) With regard to the reformatories and industrial schools; what you ask for by Clause 9 of the Bill is to be placed in the same position as the Corporations of Dublin, Cork, and Limerick?—Yes.

83. Nothing further?—Nothing farther.

84. At present the actual payment in respect of offenders sent to reformatory schools, or children sent to industrial schools, is made through the hands of the Grand Jury of county Antrim?—Yes, the Grand Jury paying it, and recovering from us the amount, or, at least, 95 per cent. of the amount in one case, and 92 per cent. in the other.

85. So that practically the whole of the expenditure is in connection with the city?—Yes.

Mr. Keen.] Will you tell us which is which.

Mr. J. D. Fitzgerald.

86. It is 94½ per cent. for reformatories, and 92½ per cent. for industrial schools. (To the Witness.) Is not that so?—Those are the correct figures.

87. Do you see any reason why the Corporation of Belfast should not be placed in the same position as the other three Corporations that I have mentioned?—I do not see any.

88. Is there any reason for supposing that the Corporation of Belfast would unduly favour Protestant children, or be unfair to Roman Catholic children?—Certainly there is no reason in my opinion. The magistrates commit the children to these schools; the Corporation have no jurisdiction or selection whatever in that matter.

89. The magistrates commit the children to the schools?—They select the schools.

90. In fact, there are Roman Catholic schools and Protestant schools, are there not?—Plenty.

91. Protestant children are sent to Protestant schools, and Roman Catholic children are sent to Roman Catholic schools?—They are invariably.

92. I believe in the Reformatory Act, there is an express provision that it must be so?—There is an express provision that it must be so.

93. It is the fact that the Corporation of Belfast is an exclusively Protestant body; but is that also true of the Grand Jury of Antrim?—It is perfectly true, so far as I know.

94. Now coming to the question of county Down; in the year 1868 the portion of the city of Belfast within the county Down was separated, for Grand Jury purposes, from that county?—It was by the Act of 1868.

95. By that Act your contribution was fixed to certain general county purposes in respect of which you then received some benefit from the expenditure by the Grand Jury of the county Down?—Yes.

96. The contribution was fixed in this way: by the proportion of the valuation of that part of the city of Belfast that was within the county Down to the whole valuation of the county Down?—Yes.

97. At that time, I believe, the portion of Belfast within the county Down, represented by its valuation one twenty-third of the whole?—Yes, that is about the proportion at that time.

98. Since that time Belfast has been rapidly increasing, and now the proportion is one-eighth?—Between one-eighth and one-ninth during the present year. Last year it was one-tenth. That portion of the city has increased 20,000 £ in valuation during the last year, or thereabouts.

99. The increase is going on, and is likely to continue?—It is likely to continue.

100. While that increase has been going on, the benefit you get from the expenditure from county Down for this purpose has been decreasing?—Yes.

Mr. T. W. Russell.

101. Do I understand you to say that the increase has been on the Antrim side?—No, on both sides; but there was 20,000 £ increase in valuation on the county Down side of the city during the last year.

102. The

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Mr. BLACK.

[Continued.]

Mr. J. D. Fitzgerald.

102. The first matter in respect of which you ask to be relieved from further contribution is the County Infirmary of county Down; is the County Infirmary situated at Downpatrick?—Yes, about 26 miles from Belfast.

103. Have you in Belfast two good hospitals?—Yes, the Royal Hospital and the General Hospital; and so far as I can ascertain, no patients are sent from the county Down side of the city to the Down Infirmary.

104. As no patients are sent, you do not see why you should contribute any further?—We do not see why we should contribute.

Mr. KERR.

105. By what route do you make it 26 miles from Downpatrick to Belfast?—I am speaking of statute miles, and I think that is the distance. My impression is that the milestones in Down represent Irish miles.

106. I am told that the railway route is practically the route, and that it is not 26 miles by that?—I think the railway route is upwards of 26.

Mr. J. D. Fitzgerald.

107. The next point on which you wish to be relieved from further contribution is the Downpatrick Lunatic Asylum?—Yes; at present we are paying nearly one-eighth of the cost of that asylum, and of the maintenance of the patients there. I asked for a return of the number of patients from this portion of the city, and the resident medical superintendent gave me one for five years, showing that there have been only two patients during that time, and those two patients taken together would be less than three-quarters of a year of one patient; and one of those patients had been sent there from the county Down portion of the city, simply because she had previously been in the asylum from the portion of the county outside the city.

108. Then, on the passing of this Bill, there would no longer be any obligation at all on the Downpatrick Asylum to receive any patients from Belfast?—There would not.

109. Consequently any expenditure in connection with Belfast would cease?—It would.

110. With regard to reformatories, are any committals to reformatories or industrial schools made from Belfast to any such reformatories or industrial schools as the Grand Jury of Down contribute to?—None, so far as I could ascertain.

111. Do you contribute to those reformatories?—Yes, an eighth of the expense, or between an eighth and a ninth; and every year that proportion is increasing if we do not get relief.

Mr. ELLIS.

112. They have power to make committals, have they not?—No, under the present legislation the magistrates do not commit to the county Down reformatories or industrial schools.

Mr. J. D. Fitzgerald.

113. Then with regard to the treasurer and secretary, you now contribute one-eighth to the salaries of the county treasurer and secretary of

Mr. J. D. Fitzgerald—continued.

the Grand Jury?—The county treasurer receives no salary, but the secretary does, and we contribute to his salary. We know of no duties whatever which he performs for us.

114. At the time of the 1868 Act there were certain duties with regard to gaols in which the city was interested?—Yes.

115. The gaols have now been taken over by the Government, and those duties have consequently ceased?—Yes, they have consequently ceased.

Chairman.

116. What is the total contribution in money you wished to be relieved of in respect of county Down?—About 74 l. a year.

Sir Edward Harland.

117. How many patients would be represented by that payment in the county Down Infirmary?—About 50 altogether.

118. What I mean is, how many patients practically have been sent to the county Down Asylum from your portion of the district?—Two, during eight years.

119. For which this large sum of money has been paid by the Corporation?—Yes.

Mr. KERR.

120. For this and other purposes this is the total for all purposes, I understand?—Yes; that is what we ask to be relieved from for the last year.

Mr. ELLIS.

121. It might be useful if you gave us some idea of what the amounts have been for the last few years, just to see whether it has been going on for long?—It is very much about the same sum each year.

Mr. SEXTON.] If we had the last balance sheets for these two county asylums it would be very useful.

Mr. ELLIS.

122. (To the Witness.) I thought from your statement that it had been growing very largely?—The proportion has been growing but not the actual figure. The total contribution has increased from about 800 l. a year to about 1,100 l.

Mr. SEXTON.

123. It depends upon the valuation?—Yes; those are the figures (handing up a book to the Committee).

Cross-examined by Mr. Harrison.

124. I appear for the Grand Jury of county Down. (To the Witness.) You originally proposed to separate from county Down in the year 1867, the year before the Bill passed?—I believe so; it was before my time as town clerk.

125. Of course these things are known; there is no doubt that that is so, is there?—It is so.

126. On that occasion, I believe, the Grand Jury of county Down presented a petition against the separation?—I do not know that.

127. Are you not aware of that?—I am not, I have always understood the Bill was thrown

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Mr. BLACK.

[Continued.]

Mr. Harrison—continued.

out in consequence of some oversight of the council not proving the Preamble.

128. Afterwards a Bill was promoted in 1868 for the same purpose?—Yes.

129. And county Down petitioned against that?—I believe so.

130. Are you aware that before the Bill came before the Committee an agreement was come to between county Down and the city as to the terms on which it should be allowed to pass?—No, I am not.

131. Are you not aware of that?—I am not aware of it, except what appears on the Act of Parliament.

132. Have you never seen the Bill as originally promoted by the Corporation at that time? I have not.

133. So far as you know, you are not aware that these contributions for general county purposes in the 8th section of the Act of 1868 were all put in as the result of agreement between the county and the city?—I have no doubt at all they were all arranged mutually. The circumstances since that have changed very much.

134. At that time the Ballymacarratt and Down portion of the city of Belfast was by no means as big as it is at present?—It was not.

135. Having regard to the general increase of Belfast there was no doubt it would go on increasing, though perhaps not to the extent it has since increased?—There was no anticipation at that time that it would increase at all in the proportion it has done.

136. It was contemplated, I assume, that it would increase in some proportion?—I dare say we all hoped it would; but it certainly far outstripped our ideas.

137. At that time among the purposes you agreed to contribute for were the salaries of the county treasurer and the county secretary?—Yes.

138. Those two officers were then distinct?—I should suppose so.

139. Afterwards on the Banking Company being appointed treasurer, no salary was paid. Would you tell me what duties the secretary then performed which he does not now perform?—I think he had a considerable amount of duty to discharge in connection with the gaols, which he does not perform now at all.

140. Except for the duties which he performed in connection with the gaols, his duties are the same now as then?—I apprehend they would be substantially the same.

141. With regard to the infirmary, that was another thing you agreed to contribute to?—I believe so.

142. I understand you to say the infirmary is situated at Downpatrick?—Yes.

143. Is it not the fact that any Down patient who presents himself at Downpatrick, whether from the Ballymacarratt side of Belfast or any other part of the county, is entitled to outdoor or dispensary relief?—I do not know; I made the inquiry, but so far as I could ascertain I could not hear of a single patient sent forward from the Down portion of the city.

144. Is not any governor entitled to give an

Mr. Harrison—continued.

inhabitant of Belfast an order authorising admission?—I do not know the actual practice.

145. Downpatrick is about the centre of the county, is it not?—In one sense it may be considered so, but in another sense it would not be so.

146. It is an extremely difficult place to get to from every side; it is even more inaccessible from Newry and Banbridge than from Belfast?—I have never travelled from Newry or Banbridge to Downpatrick.

147. You live in county Down, and surely you know it takes about a day to get from Newry or Banbridge to Downpatrick?—I never travelled from either of those places to Downpatrick, so I cannot tell.

148. You have no doubt that it takes a considerable time?—There is the difference between travelling by road and by rail no doubt.

149. From Newry by rail you have to come through Belfast; if you come from Banbridge and all that side of county Down?—I suppose so.

150. Is it not as unlikely that any one would come to Downpatrick from anywhere on that side as that they would come from Belfast?—I do not know that they would come from that side.

151. Are you aware that Newry is separated from county Down by Act of Parliament?—I understand so.

152. And that they still contribute to these very charges that you object to contribute to?—I do not know that.

153. To pass from the infirmary to the reformatory and industrial schools, I understand you to say, that you wish to be in the same position as Dublin, Cork, and Limerick?—Yes.

154. All those are counties of cities with a criminal jurisdiction of their own?—I suppose so.

155. Let this be quite clear to the Committee; at each of those places there are assizes held, and the judge opens the Commission separately for the county of the city?—Dublin is a county city, and I presume the others are.

156. When a person is committed for trial to the county of a city, there is no doubt of the district he comes from. Belfast is not a county city?—It is not.

157. And has no criminal jurisdiction of its own other than what the Recorder exercises. If a person has committed a crime in Ballymacarratt, as they do sometimes, I suppose he would be tried at Downpatrick?—He might be sent to Downpatrick.

158. That would be the county jurisdiction?—Yes; but they have power to send him to Belfast.

159. Only if he is within a few yards of the border?—No. Persons committed for crime at Ballymacarratt are sent to Belfast assizes, I believe.

160. Only if the crime is committed within 200 yards of the boundary; that is the limit of the criminal jurisdiction, is it not?—I think not.

161. But a number of cases from Ballymacarratt and

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MR. BLACK.

[Continued.]

Mr. Harrison—continued.

and that district are sent to the County Down?—Some are.

162. And tried there in exactly the same way as the other County Down prisoners?—A few are.

163. Are you aware that when that is done the committal of such persons dates from Downpatrick, and not from Belfast?—I do not know. I am not a criminal lawyer.

164. You are not aware that, as a matter of course, taking the case of a larceny in Belfast returned for trial in Downpatrick, the prisoner would be indicted without saying where he is committed, and would be sent to a reformatory at Downpatrick, and not at Belfast?—I never read an indictment in my life, and I cannot answer the question.

165. When you said to the Committee that you contributed to reformatories to which no commitments were made from Belfast, it does not exactly express the entire evidence, does it?—I think it expresses the fact. So far as I can ascertain there has never been a committal from Belfast, either from the sessions, or from the assizes.

166. You cannot say that persons are not sent to this reformatory at Downpatrick who have committed crimes in Ballymacarratt, and that neighbourhood?—So far as I have been able to ascertain, I believe they are not. If there are any such, of course we would not object to pay for them; but to take the basis of valuation as the basis of our contribution we think most unfair.

167. Surely you must see yourself that it would be absolutely impossible to carry on county government in Ireland if each particular spot in question said, we will only pay for the crime committed here, or we will only pay for those who are sick here, or for the roads on which we ourselves walk. You must take the rough with the smooth, all round?—I do not think we go so far as that.

168. Up to the present the Down Asylum, since it was built, has been for the entire of County Down, including the Ballymacarratt side of Belfast?—Yes.

169. It has been supported and maintained on that basis up to the present. I observe you said the Bill follows the precedent of the separation of Down from Antrim?—Yes.

170. You propose in Clause 6 that "The council and the grand jury of the County of Down may enter into and carry into effect agreements," among other things as to the amount to be paid "towards defraying the expenses of erecting, establishing, maintaining, supporting, and enlarging the Downpatrick Asylum." Do you seek to go into the account of every penny that has been spent on the patients since the Down Asylum was built?—We have paid a very large sum in respect of patients; and in framing the Bill we thought we should get a portion of it back.

171. That is to say, you want now by a retrospective enactment to get back moneys paid, and properly paid, in the last 20 years?—That is a matter for the Committee so far as regards the words "maintaining" and "supporting."

Mr. Harrison—continued.

172. Those words are not in the corresponding section dealing with Antrim?—We have got value from Antrim to a certain extent, but no value from Down.

173. You want to enter into a retrospective arrangement with the County of Down that you do not seek to impose upon County Antrim at all?

Mr. J. D. Fitzgerald.] Is it not the case that those words are taken from your Act?

Mr. Harrison.] I think not, and they are not even in the Preamble. In the Preamble you only recite that it is fair that the county should pay towards the amount for erecting the establishment and enlarging the asylum; and in the body of the Bill you put in the words "maintaining" and "supporting."

Mr. Scruton.] Will you refer us to the passage?

174. If you refer to the Preamble, on page 4, at line 13 you will see "an equitable adjustment should be made between the city and the said counties and the county and the town of Carrickfergus respectively in respect of the moneys expended in the erection and establishment of the said several asylums." Then if you turn on to the Bill itself Clause 6, Sub-section 1, deals with Antrim, and Sub-section 2 deals with Down; and among the things the Antrim people may enter into arrangements for "the equitable amount to be paid to the city by the Antrim district in respect of the support and maintenance of the Belfast Asylum and the officers thereof, and the patients therein, in respect of the period between the date of separation and the removal to the Antrim Asylum from the Belfast Asylum of the patients sent thereto from any part of the Antrim District," in such and such a way. But when we come to Sub-section 2 of that Clause, in dealing with the amount that County Down are to pay, they introduce the words in line 19 "maintaining" and "supporting," which are not in the Preamble at all; they have evidently been introduced as a sort of after thought, as Mr. Black now says, to enable them to go back into accounts extending over 21 years. (To the Witness.) Is not that so?—The object was to get back a contribution of what we have overpaid, having got no value for it.

175. The object of those words is to get back the payments you have made since the year 1868 under the Act of Parliament that was then passed?—That is so.

Chairman.

176. Is it intended that this should have a retrospective effect?—Yes, "maintaining" and "supporting" would have a retrospective effect. It says, as you see, "the equitable amount" only.

Mr. Harrison.

177. The words are: "Towards defraying the expenses of erecting, establishing, maintaining, supporting, and enlarging the Downpatrick Asylum?"

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Asylum?"

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Mr. BLACK.

[Continued]

Mr. Harrison—continued.

Asylum"?—It does not refer to the patients therein.

178. It refers to the payments that you make under Sections 8 and 9 of the Act of 1868; in fact, you think you have made over-payments or unjust payments, though they were made under Act of Parliament?—They are perfectly legal payments.

179. But you think they are unjust, and you ought now to get them back?—Yes, a share of them.

180. Now one other point with regard to the asylum. As you have told us, for the past 20 years or so this Down Asylum has been for the benefit of the entire of County Down, and Belfast has contributed to it?—Yes.

181. You are aware that the staff that has been in existence for that time has been the staff for the whole county and for the city, as well as for the agricultural portions of the county?—They have been the staff of the asylum.

182. Are you aware that those officers are under certain circumstances entitled to superannuation?—I believe they are.

183. As the law stands at present the grand jury will have to pay for that superannuation allowance, and that is one of the things that is taken into account, and for which you pay a share?—Yes; if they grant any superannuation at present we would have to pay our portion.

184. As the Bill stands now there is no provision made for your contributing to the superannuation of those officers who have been serving you for the last 20 years?—We do not see that they have served us at all.

185. They have served the portion of the county in which unfortunately Belfast is situated?—Yes, in which Belfast unfortunately is situated.

186. Do you not think it fair you should contribute to their superannuation; is it not at least as fair that you should contribute as that the other part of the county should contribute?—I think the county have had their services and should pay for them.

187. But Ballymacrarratt and the other town lands of Belfast have also had their services, have they not?—I do not think they have.

188. It is not the fault of the rest of the county that there were not any people insane there; they might have been insane if they had liked and gone to the asylum?—There were people insane, but they were sent to the Belfast Asylum.

189. That must be a mistake of somebody, not the fault of the County Down people?—It shewed that their friends were most anxious to have them at Belfast and not at Downpatrick.

Re-examined by Mr. J. D. Fitzgerald.

190. May I ask on that point: do you find at Belfast the people prefer the patients should be sent to the Belfast Asylum?—Yes, most unquestionably.

191. So that their friends can visit them?—Yes; visiting days are allowed, and I understand it is a great advantage to the patients to see their friends occasionally.

Mr. J. D. Fitzgerald—continued.

192. There is just one point my learned friend has been making with regard to Clause 6 on page 9 of the Bill; was it and is it your intention to treat the Downpatrick people in exactly the same way as the Antrim people?—Substantially the same.

193. Those words which my learned friend has been alluding to, "maintaining" and "supporting," were, I think, inserted in the clause, because similar words had been inserted in the Act of 1868 separating Down?—That was the object.

194. So that it should be quite clear you were covering the same ground?—Yes; if you come to clauses and any point is made about "maintaining" and "supporting," it may go out, so far as I am concerned.

195. At any rate, full power is given to the Lord Lieutenant to do all that is equitable, having regard to the circumstances?—Certainly.

Mr. Harrison.

196. If those words are taken out it will do a great deal to do away with the objection of county Down?—The words "maintaining" and "supporting," on page 9, line 19, I hold, have no importance whatever.

Mr. J. D. Fitzgerald.

197. I am glad to hear my learned friend say that would remove a great part of his objection; I think I can arrange with him, and put the clause in a form that he would have no objection to. (*To the Witness.*) With regard to reformatories and industrial schools; in the first place, as regards industrial schools, the commitments are made by the magistrates, are they not?—In every case.

198. So that all the commitments from Belfast, whether the part of Belfast be situated in Down or Antrim, would be made by the Belfast magistrates?—Yes.

199. There would be no fear, as regards the Belfast magistrates, of any child being sent to schools supported by County Down?—I think not.

200. As regards commitments, the bulk of the commitments are made either by the magistrates or at the sessions?—Yes, I think in every case at Belfast by the magistrates.

201. It would be so nearly always; if by any chance there was a case of a juvenile offender sent to Downpatrick, and committed to a reformatory supported by the grand jury of Down, that could be met by a special clause, if it was thought worth while?—Certainly. We have no objection to pay for such a case.

202. I do not know whether you know this: I believe the secretary of the grand jury of County Down now has the accounts of County Down under his supervision; that is part of his duty?—Yes.

203. If he is relieved, or if the county is relieved, from any question about the lunatic asylum, so far he performs no duty for the City of Belfast?—No duty whatever in regard to the city.

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Mr. BLACK.

[Continued.]

Mr. Harrison.

204. One question with reference to the re-examination of my learned friend. You said that the Belfast magistrates only had anything to do with the sending of the children to the industrial schools?—As far as I know.

205. Have not the Down magistrates jurisdiction, and do not they exercise it over the Down portion of the City of Belfast?—No.

206. You know the Ballinacraig district?—Yes.

207. Is not there a petty sessions district at Newton Brady?—Yes, that is outside the city.

208. Does that exercise jurisdiction over portions of the city?—I am not aware of any. I think it is outside the city.

Examined by the Committee.

Mr. Sexton.

209. Who was responsible for the memorandum circulated amongst Members of the House before the second reading?—I was, and the parliamentary agents.

210. You say there that the board of governors of the Belfast Asylum proposed some time ago that an asylum for the county of Antrim separated from the city should be erected near Antrim, and that the city should acquire the Belfast Asylum. How long before the issue of this memorandum had the board of governors passed that resolution?—On the 10th March: "That this board, having carefully considered several schemes for providing increased accommodation for the insane for this district, is of opinion that a second asylum should be built; and they suggest that the City of Belfast should acquire the present site and buildings, paying to the County Antrim their fair proportion of the value of the same towards the cost of a new asylum to be built by the county."

211. This memorandum was issued in the month of February this year, was not it?—I think so, speaking from memory.

212. It referred to a resolution of what date? 10th March 1890.

213. Two months before the issue of that memorandum, that is, on the 14th December 1891, the board of governors, the body referred to in the memorandum, passed a resolution: "That the resolution of the 10th March 1890," which you have just quoted, "relative to separation of the asylum district be rescinded, and to move a resolution in favour of combined management of old and new asylums under this board." Why did you, if you are responsible for this memorandum circulated in February 1892, suppress the fact that in December 1891, two months before, the governors of this asylum had rescinded the resolution upon which you relied?—I do not think there was any suppression in the matter. The governors were one day passing one resolution and another day passing another, so you see by several resolutions. It was very hard to follow.

214. You made yourself responsible for putting into the hands of members of the House of Commons, before the second reading of the Bill, the memorandum with your own name and the name of the agents on the back, in which you recite a resolution of March 1890, by the governors of

Mr. Sexton—continued.

this asylum, and abstained from stating that the resolution upon which you relied had been rescinded two months before the issue of the memorandum?—It was not one resolution but several.

215. At any rate, you made it appear in your memorandum that the governors of the asylum were in favour of what you proposed, the fact being that they were opposed to it?—Some of them.

216. The body?—The majority of the body passed that resolution.

217. You represent here that the body as a board are in favour of your scheme, the fact being that two months before they had said they were opposed to it?—That they were in favour of it, yes.

218. Did not you suppress the fact?—I do not admit there was any suppression; it is for the Committee to judge.

219. Is the fact stated?—It is not. I thought it unnecessary to state it.

220. You thought it fair to the House of Commons to allow members to remain under the impression that the governing body of the asylum affected by your Bill were in favour of the change proposed by you when they were diametrically opposed to it?—I thought it was perfectly fair to make the statement.

221. To mislead the House?—I do not think it was any misleading of the House.

222. By what inspiration could the House learn the fact. I will refer to the proceedings of the board of governors on the 14th December 1891. May I take it that the board of governors are opposed to your proposal for separate management of the two asylums?—I cannot tell. You have all the resolutions that have been furnished to me.

223. On the 14th December 1891 the resolution rescinding the former resolution and declaring in favour of combined management of the two asylums was carried, Sir James Haslett and Dr. Whitaker dissenting. Is Sir James Haslett a representative of the corporation?—He was nominated by the corporation with the approval of the Lord Lieutenant.

224. Dr. Whitaker?—Also.

225. There was a further motion moved by the Right Honourable John Young, and passed unanimously: "That the board having carefully gone over the whole question and their previous minutes on the subject, are of opinion that the joint management of the Belfast and Holywell Asylums would result in advantage to the patients and economy of the public funds, and that separation should be postponed until both asylums are in working order, as urged by Mr. Owen in his report, 19th March 1890, and only considered when the joint management has had a fair trial." That resolution was unanimously adopted?—Yes, after Sir James Haslett and Dr. Whitaker had left.

226. After the two gentlemen representing the corporation had retired?—By the members then present, I believe, I do not know anything further than appears on the face of the resolution.

227. Notwithstanding the statement in your memorandum that the governors were in favour of separate management, we are to take it now

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[Continued.]

Mr. Sexton—continued.

that the governors have adopted the unanimous resolution declaring that combined management is the best both for the patients and also for economy?—Such of the governors as were present at that meeting appear to have done so.

228. I understand that the second asylum is fully provided for already without regard to this Bill. Will you state what is the position of it?—The Lord Lieutenant has sanctioned the erection of a second asylum upon the distinct understanding that there is to be a separation between the county of Antrim and the city, and from the report of the grand jury they have agreed to that separation.

229. How is that understanding evidenced?—By the letter from the secretary of the board of control to the board of governors.

230. Are the Committee to understand that the Lord Lieutenant in determining whether the accommodation to the lunatics of that district required a second asylum made a condition that the second asylum should be placed under separate control?—I can only tell you what appears (as to the Lord Lieutenant's intention) from the resolution and letters furnished to me, and such appears to be the fact.

231. I must ask for those letters to be handed in and put on the notes. I am unable to conceive why the Lord Lieutenant should make such a condition. Will you hand in the letters at your convenience?—Yes.

232. At any rate the site has been purchased?—Yes.

233. Has the issue of money for the structure been sanctioned?—I do not know.

234. I presume I may take it for granted that the establishment of the second asylum is an accomplished fact?—Not farther than the purchase of the site.

235. That is considered a practical step, usually?—Sanction was given on the distinct understanding that I referred to, that there was to be a separation of the two districts.

Chairman.

236. Have you got that communication from the Lord Lieutenant?—I have. It is a letter of the 3rd December 1891 to the Resident Medical Superintendent, District Lunatic Asylum, Belfast, from the Secretary of the Board of Control. "Belfast Asylum, New Asylum at Holywell, 16380/91. Sir, I am directed by the board of control, in reference to the notices of motion handed in by Mr. H. H. McNeill, &c., on the 8th ultimo, copies of which were duly forwarded by you, to request that at the special meeting to be held to consider same, the governors who may be present thereof be reminded that the question of separation emanated from themselves, that on the faith that same would be carried out the acquisition of Holywell was sanctioned by the Lord Lieutenant in Council, and that the resolution of the 12th October 1891 invited the Corporation of Belfast to promote a Bill for the purpose of separation, and that invitation has been acted on. Inasmuch as powers can be obtained from Parliament enabling the City Asylum to send patients to the County Asylum, the danger of overcrowding the former, which seemed, from the information the board have, to have affected the proposer of the intended

Chairman—continued.

motion at the meeting of the 12th October last, and having the latter only partially filled, can be got over.

Mr. Sexton.

237. Was this the first intimation made by the board of control that they considered the separation of the governments an essential part?—I have no means of knowing what occurred between the board of control and the board of governors further than is furnished to me in the letter and resolution which you have there.

238. You said the Lord Lieutenant gave his sanction to the erection of a second asylum upon the understanding that there should be two boards of governors?—It is so stated in that letter.

239. Is that the first evidence you have?—Except verbal conversations, it is.

240. Verbal conversations with whom?—With the solicitor to the board of control.

241. At what date?—I cannot give the date; about October 1891, I should think.

242. This has been going on for several years. Up to 1891 had you any idea that the Lord Lieutenant, or the board of control, considered that in the event of the establishment of a second asylum there should be two boards?—Up to that time I had no intimation that the sanction would be given for a second asylum at all. The board of governors seem to have been considering and passing resolutions for years, one contradictory of the other.

243. Did the Irish Government give no evidence of their sanction? The Government proceeded on the report of Mr. Owen. Do you observe that Mr. Owen in that report said, "I would suggest that the district should be considered as one for financial purposes until both the new and old asylums are completed, and in working order." I think it would be rather absurd for the City of Belfast to contribute to the erection of an asylum, 50 per cent. of the cost of the erection of a new asylum, in which they had no interest whatever after it was built.

Mr. Harrison.

244. That is they might have none?—Yes.

Mr. Sexton.

245. The Irish Government proceeded on the report of a gentleman who suggested that the district should remain one for financial purposes until a certain time?—I do not know whether it proceeded upon that. I have no notion whether it was upon that or not.

246. Upon whose behalf did Mr. Owen examine into the question?—He was architect to the Board of Works.

247. The official architect? Do you suggest that nevertheless the Government made it a condition that the management should be dual?—Single up to a certain period.

248. That period has not been reached?—I cannot agree with the suggestion at all.

249. Did the board of control approve of your proposal to invest the asylum in yourselves?—They did not. We followed the precedent, as I understood, of English counties and English boroughs, vesting the asylum in ourselves, but inasmuch as they are not so vested in Ireland,

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Mr. Sexton—continued.

the board of control objected to our following the English precedent; and we at once gave way upon the point, and said the board of control may continue to hold the asylum in any way they please.

250. In your memorandum you state that the board of governors proposed that the city should acquire the Belfast Asylum, and then you said the proposal of the governors was approved by the board of control?—I think so.

251. There you say that the board of control approved that proposal that they should acquire the asylum?—I think the letters showed that they did.

252. I understand you now to say that the board of control did not approve of your proposal to vest the asylum in yourselves?—No, not to vest the asylum in ourselves.

253. Is not that acquiring the asylum?—I think not.

254. Is there any difference?

Mr. J. D. Fitzgerald.] If you look at the resolution of the board of governors of the 10th March 1890, they use the exact words, "acquire the present site."

Mr. Sexton.] What is the distinction between acquiring the site and having the asylum vested in them?

Mr. J. D. Fitzgerald.] I do not know that there is any difference in law, but it is obvious what is meant.

Mr. Sexton.

255. Mr. Black, in his memorandum, led us to understand that the board of control approved of the proposal to vest the asylum in the corporation?—It was distinctly stated in the House on the second reading that that clause and another clause, as to the governors, should be amended or eliminated.

256. I do not understand that you proposed to eliminate the clause relating to the vestry?—Yes, it was so stated.

257. Can you put in the opinion of the law officers that this division of the district should be effected by a private Act?—I cannot. I never saw it.

258. Who has the custody of it?—I do not know, I presume the official solicitor for the Government would have it.

259. From whom did you learn of its purport? From the board of control.

260. The law officers were of opinion that this public law governing the constitution of districts in Ireland should be amended not by a public Act but by a private Act introduced by you?—Yes, so I understood; and that the corporation were the proper parties to promote the Bill.

261. And that it should be done by a private Bill?—Yes.

Mr. Arthur Elliot.

262. I think the question was whether it should be obtained by an Order in Council?—It could not be done by an Order in Council.

Mr. Sexton.] The question was whether the public law should be amended by a public Bill or a private Bill. The Irish law officers seemed to come to the conclusion that the public law should be amended not

by a public Bill introduced by themselves, but by a private Bill introduced by the corporation.

Mr. Fitzgerald.] There is no amendment of the public law at all; it is merely conferring special powers.

Mr. Sexton.] Under the law as it at present stands, this kind of division cannot take place; further legislation is required, and the opinion of the law officers appears to be that this further legislation amending the present state of the public law should be by a private Bill.

Mr. Fitzgerald.] It is precisely what is done every day by a private Bill.

Mr. Sexton.

263. I am not arguing that point, I am only stating the fact. Now I want to understand precisely how this asylum is governed. How many governors are there?—Twenty-two, I think.

264. How many does the Lord Lieutenant appoint of his own motion?—Ten of those, I fancy.

265. Do you nominate six?—Six for his approval. We have not the power of nomination absolutely. We are simply asked to nominate for his Excellency's approval a number, out of which he would select six.

266. As a matter of fact, he always does take the six you recommend?—It has only been the last year or two that that practice has arisen.

267. Of course I am speaking of the time during which the practice has prevailed?—I am under the impression that one of the gentlemen he did not nominate; I cannot recollect the particular case.

268. The grand jury of Antrim also have the practical nomination of six others?—That would be exactly the same.

269. Of those 22 governors three are Catholics. Can you tell me whether any of those Catholic gentlemen came on by your nomination?—No, I think they were nominated by the Lord Lieutenant.

270. I understand you to say that the corporation always nominated members of their own body?—I think there are only two occasions on which they have made such nominations, and they were always members of their own body.

271. The corporation is exclusively Protestant? It is.

272. Therefore the nomination has been exclusively Protestant also?—Yes.

273. You cannot say whether any of those three were nominated by the Grand Jury of Antrim or put on by the Lord Lieutenant of his own motion?—I cannot say. I fancy they were put on by the Lord Lieutenant of his own motion. He would have the same power to put on three, or half-a-dozen if he chose, under our Bill.

274. Striking out Clause 4 of the Bill by which you propose to appoint two thirds of the governors of the City Asylum, how would the boards be constituted, supposing that your scheme were carried into effect, and that you obtained a separate district in the city?—The Lord

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[Continued.]

Mr. Sexton—continued.

Lieutenant would nominate all the governors. Possibly he would accept certain suggestions from the corporation as to half of those members.

275. If there were separate districts in the city, would half the cost of the Asylum be paid by the Government and the other half by the city?—Not directly half.

276. Very nearly?—Nearly half.

277. And the system would work in this way: The Lord Lieutenant would nominate half of his own motion, and you would recommend the appointment of the other half?—Yes, the Lord Lieutenant might take them or not; if he did not consider them proper nominations of course he would reject them.

278. In practice he adopts the recommendation of the local body?—I have heard complaints that he do not adopt it all over Ireland.

279. You have had no such complaints?—No, because we have always taken care to nominate proper parties.

280. No doubt your opinion of your own discretion is high. Would you have any objection, or do you think the corporation would have any objection to providing in the Bill that a certain number or proportion of the governors to be recommended by the corporation should be Roman Catholics?—I think it would be a most absurd provision to insert.

281. You do not think it at all absurd that in a city with 70,000 Catholic inhabitants the corporation is wholly Protestant?—Unless it is enacted that the constituency must return a Roman Catholic I do not see how it is to be done.

282. Are not you aware that the wards are very antiquated. The division was made many years ago?—The wards were made in 1864.

283. What was the population of the city then, something over 100,000 was it not?—Considerably over. It has increased very largely since.

284. It is now nearly 300,000?—The census I think was 256,000.

285. Do you consider that a division of wards suitable when the city had 100,000 people continues to be suitable for 300,000 people?—That is a question which I do not know that this Committee are called upon to entertain.

286. The Committee are the judges?—Yes; and my recollection is that the House refused an instruction to the Committee upon that.

287. No doubt, but the House will have an opportunity of reconsidering the whole question. Would the corporation of Belfast have any objection that the wards should be redistributed?—I think the corporation of Belfast would not object to a proper distribution of the wards by a properly constituted tribunal.

288. Are you aware that about one-fourth of the patients in the asylum are of the Catholic faith?—I am not aware. The medical superintendent will tell you, no doubt.

289. Out of 600 there are 180. Considering that one-fourth of the patients are Catholics, and considering the importance of due consideration of religious belief in these sad cases, do you think that the corporation would object to come under an engagement that a certain proportion of their recommendations should be Catholics?

Mr. Sexton—continued.

—I think they would object, decidedly, to be under the least obligation. They do what they believe to be right without any such obligation.

290. What they have hitherto believed to be right has been not only to nominate all Protestants, but all Protestant members of their own body?—The Lord Lieutenant has full power to arrange that question. We do not take it out of his hands.

291. In practice it works out in that way, that the corporation would have the power of nominating half the governors?—Hitherto it has been so, and the same practice would be continued.

292. I suppose I may assume that if the corporation nominate half the governors, and the Lord Lieutenant the other half, the governors nominated by the corporation being persons living in the city and bound together in the work of the civic council would really constitute a working majority in the transaction of the business of the board?—I should think not at all.

293. You think it unlikely that the corporation nominating one-half of the governors that would be the result?—I do.

294. Those gentlemen being citizens engaged in the city council?—It does not follow that they would be engaged in the city council at all.

295. Have not they been hitherto?—Yes, in appointing six, but in appointing 12 possibly they would go out of their own body.

296. What is the number of their body?—Forty.

297. Could not they find 12 as easily as six?—The question is, would they do it. I have no means of knowing it.

298. There is no reason in their past action for presuming that they would go outside their own body?—I think the recommendations have always been right and proper.

299. Then on the question of economy you say that the governors are not paid. Is there not a considerable sum expended on lunatic asylums in advertising?—I think not very much; I do not know of much.

300. Whatever it is, it would be doubled by having two boards?—No, I think not.

301. Why not, would not each board have separate advertisements?—Of course there would be separate advertisements, but the advertisements might not be so long. It would not follow that they would be double.

302. Would not they be of the same character in each asylum?—I do not know. I cannot tell. You can get that probably from the resident medical superintendent, who understands the practical working much better than I do.

303. Would not there have to be a separate secretary for each asylum?—I think you would have to have a separate secretary under any circumstances. The secretary is the resident medical superintendent.

304. Oh, no.—I think so.

305. I was a member myself. The secretary was not the superintendent?—You will get that from the officers. I can only speak from information which I have received from others.

306. Upon what ground do you contest the opinion expressed by the Grand Jury of the County

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[Continued.]

Mr. Sexton—continued.

County of Antrim in their resolution at the Spring Assizes of 1891 that the administration of the Lunacy Laws could be more economically carried out by continuing the connection between the city and the county?—I am under the impression, as far as Belfast is concerned, that we could manage it more economically by ourselves than jointly with the county having a second asylum there. I think the expense of sending patients and of getting supplies at Antrim will be more than if we had our own asylum to deal with.

307. Does it not occur to you that if you have two sets of contracts for all the requisites used in each asylum, clothing, food, and so on, instead of one contract for the larger quantity, both bodies would pay higher prices?—I do not think you would get contracts on the same terms for the two asylums. The supplies for the asylum at Antrim would cost a different price from what the Belfast supplies would cost.

308. Irrespective of the larger quantity required?—Irrespective of quantity altogether. As I say, the gentleman who has a practical experience of the working is the resident medical superintendent, and he will be more capable of giving evidence than I am.

Mr. T. W. Russell.

309. Expert evidence?—Yes.

Mr. Sexton.

310. You have given evidence that it would be more economical?—I have given evidence that in my opinion it would be more economical.

311. We are anxious to know on what that opinion is founded?—As I said before, you must have two separate staffs, and a great deal of expense between the two asylums would be common whether they had one or two.

312. Is there any other case in which a city is a district?—I do not know. Unfortunately, my knowledge of these matters does not extend to Ireland generally. I am informed that in England there are many examples, and the Inspector of Lunatics can give information on that point.

313. You are not aware then that in Ireland there is no such case?—I am not aware whether there is or is not.

314. With regard to the industrial schools, you are aware that the corporation, if they obtain the power which they seek by the Bill, would have the option in the case of any particular child or any particular school of paying for the child or paying for the school or not?—I believe that is the general law.

315. Do you expect the 70,000 Roman Catholics of Belfast who have no representation in the council to be satisfied with leaving that absolute discretion in the hands of a body entirely Protestant?—I think they ought to be perfectly satisfied from the way in which the corporation of Belfast has always acted. They have always acted with perfect fairness to all their constituents.

316. I have a list of 80 of your principal employés who receive salaries amounting to 16,610 £ a year, and I find amongst them there are two Catholics who receive about 300 £. Do

Mr. Sexton—continued.

you call that fair treatment?—Well, I do not know. I am not in their secrets.

317. I have no objection to put it in. Perhaps I had better indicate them. Out of 80 principal officers, which include the town clerk, the accountant, the clerks and assistants to the town clerk and accountant, the town surveyor, his eight assistants, the superintendent of the five brigade and four street inspectors, the solicitors, the head superintendent, his three assistants, the clerk of the market, two assistant inspectors, the manager of the gas works, 46 assistants and clerks, the library superintendent, his three assistants, and the cemetery and parks superintendent. Out of those 80 persons whom I may call the upper class of the employés of the Corporation of Belfast, who get between them 16,610 £ a year there are only two Catholics, one of the street inspectors, and one of the assistant inspectors of markets, whose salaries amount to about 300 £ a year each. Is that a true statement?—I do not know. I think it is very likely true, but I have not ascertained the religion of any man. I know what my own religion is, but I do not trouble with other people's.

318. I dare say you have some notion of other people's also. You appear to have no occasion to make inquiry, because I see you have special facilities of your own. Before the Belfast Riots Commission you swore that in some cases you could tell a man's religion by his face?—In the North of Ireland I believe I did say something very much like that. That was in the year 1864. Of the two commissioners one was a Roman Catholic and the other a Protestant.

319. I suggest to you, however, that this exclusively Protestant body, the Corporation of Belfast, engaging its employés in the manner which I have described and governing a city which, out of 270,000 inhabitants has 70,000 Roman Catholics ostracised from representation, I suggest to you that the Catholics may reasonably expect some guarantee that the Catholic children and schools will be fairly treated other than that derivable from the past conduct of the corporation?—The corporation have nothing whatever to do with the management of the schools.

320. Would the corporation have any objection, do you think, to the committals of children to reformatories, and more especially to industrial schools, being placed in the hands of the stipendiary magistrates?—I never consulted them upon the subject. I do not know. I think there is no reason why Belfast should be treated differently from any other part in that respect.

321. Do not you know that Mr. Balfour brought in a Bill some years ago, which passed a Select Committee, in which he proposed to withdraw from the borough magistrates the power of adjudication upon the bench?—I do not.

322. Have you really never heard that?—I have not. It is quite possible, but I have never heard it.

Chairman] Was that exclusively Belfast?

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323. Yes?

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[Continued.]

Mr. Sexton.

323. Yes?—As to Belfast I am not aware of it.

324. It was the Belfast Riots Bill. Mr. Balfour brought in such a Bill, and it passed through the Select Committee, but was not proceeded with?—If I have ever heard it I have forgotten that it was in the Bill.

325. Many members of the borough bench are members of the corporation, are they not?—Several are.

326. And the bench is almost wholly Protestant?—I do not know: there are several Roman Catholics.

327. There are 58 Protestants and nine Catholics. Is not that so?—I fancy that is about the proportion, and I fancy it is the full proportion of those who are eligible for the appointment.

328. You are not disposed on the part of the corporation to give any guarantee or make any provision that Catholic children and Catholic schools should be properly treated?—I think they required no such provision.

Chairman.

329. I do not think he said they were not prepared to do it. He said he did not know their views on the subject?—Never considered it.

Mr. Sexton.

330. They put forward in this Bill a claim that they should have the same treatment as corporations which are counties of cities: Belfast is not the county of a city?—Yes. Belfast is fully equal, either in its corporation or as a town, to any of the cities referred to.

331. Why is it that the Government, acting, no doubt, in conference with your corporation, proposed in the Local Government Bill that Belfast shall not become the county of a city, but remain as it is?—I know nothing about the Government's intentions.

Mr. Knox.

332. As to the financial proposals of this Bill, as I understand, you propose to raise money by corporation stock?—Yes; either that, or it can be borrowed from the Government under the General Acts.

333. What is the interest of the corporation stock now?—3½ per cent.

334. You can borrow from Government, I understand, at 3½?—My impression is that the Government charge for Lunatic Asylum purposes is 3½.

335. Why should it be specially high for that purpose?—That is my impression. 3½ is the corporation stock. We will take the most economical way of borrowing the money. You may rest assured of that.

336. Possibly you might pay the money to the Government in a shorter time?—Yes; it will be paid to the Government in a shorter time. It will have to be paid in a shorter time. In regard to the usual plan of borrowing for lunatic asylums from the Government, it is payable in 14 years.

337. The effect of this is, you pay a larger

Mr. Knox—continued.

interest in order that you may have a longer time?—I do not think we pay a larger interest. I think it is the same interest. As far as debt is concerned, we stand, perhaps, second to no town in the three kingdoms in that respect.

338. Except Dublin?—We are far before Dublin. I can give you the amount if you wish.

Mr. Sexton.

339. You have been a short time accumulating it?—Only a year, and about one-tenth of our valuation.

Mr. Knox.

340. I see you said in your evidence in chief that there were plenty of industrial schools already in Belfast of all denominations?—Yes, there are several there.

341. Plenty?—I think for the present there are ample.

342. Are you aware that the magistrates have expressed their opinion on several occasions that cases were fit cases for committal to industrial schools, but were unable to carry out their wishes because there was not sufficient accommodation in existing schools?—I have not heard it. The magistrates have power to send to any industrial school they please. They may send all over Ireland. They go to the south of Ireland, the midland counties, and all over Ireland from Belfast. If there was accommodation in Belfast school, I take it they would be sent there, as a matter of fact, but if not, they would be sent to the next place where they could get accommodation.

343. Most, if not all of the Catholic industrial schools are conventual establishments?—I do not know, indeed. We have one in Belfast, I think, St. Patrick; I do not think that is a conventual establishment.

344. Most of them are conducted by Sisters of Mercy or other religious orders?—I really do not know. I will take it from you that it is accurate.

345. Is not there a very strong feeling among a large class in Belfast against conventual establishments, or against any grant being made, even indirectly, to convents?—I do not know, I have never considered that point.

346. You have never heard of such a feeling existing?—No.

347. Never heard such an opinion expressed?—Never heard it expressed.

348. You have not heard, I suppose, the Parliamentary opinions of some of the members for Belfast; Mr. Johnson, for instance?—I am not responsible for them.

349. I was asking you, not of your own opinion, but of the opinions you have expressed?—I have not heard any such opinion expressed.

350. Never?—Never.

351. If that is so you are very happy in not having heard anything to the contrary. As to the proportion of children in the industrial schools, of various religions, suppose the Belfast Corporation made a rule that they would pay a

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Mr. BLACK.

[Continued.]

Mr. KERR—continued.

sum for industrial schools, fixing a limit, not more than a certain proportion of members of each denomination; that would be within their competence, under this Bill, would not it?—I dare say it would be the same as in any other part of Ireland; but I think the Corporation of Belfast would never make such a rule.

Sir Edward Harland.] Do you mean not more than so much per head, or so much in the aggregate.

Mr. KERR.] So much in the aggregate, and then they would refuse grants in any case that went beyond the aggregate.

353. As far as these industrial schools are concerned, as I understand, it is optional as to the payment?—I have no doubt that option would be exercised by the Corporation of Belfast to its full extent, in giving the same facilities to all religious denominations.

354. Suppose they interpreted their view of their application that way, it would be within their competence?—It would, in the same way that any other grand jury in Ireland might do so.

355. There is this difference. I believe there is no other corporation which does not contain a representation of the religious minority?—In some cases; I dare say it is very small.

356. If that rule were adopted, which I suppose is possible, have you examined what the effect of it would be?—I have never considered it. I do not believe it is within the region of practical politics. I do not think there is the slightest danger of such a thing occurring.

357. You are aware that there are large numbers of poor Catholics in Belfast?—Yes, a good many I dare say.

358. That, therefore, there is likely to be a large number of Catholics remitted to the industrial school on account of the poverty or otherwise of their parents?—I dare say there are numbers of all denominations sent.

359. Therefore, to make an artificial distinction of this sort would be to create a practical injustice, would not it?—I think it would, if it were done. I think it would be a practical injustice. No corporation would think of doing it.

360. As to County Down, is it not the fact that the asylum of County Down, the chief asylum, has recently been enlarged?—It was built in 1869. I do not know about the enlargement of it. I think it has been enlarged. If so, it is entirely for County Down patients.

361. It has always been one of the things which the County Down Grand Jury have had to provide for?—Yes, partly at our expense.

362. They have to receive patients; in certain cases the patients are sent from Belfast?—If patients were sent they might be sent under the law as it at present stands, but in point of practice they have not been sent.

363. How much accommodation is there in the way of land which could be worked agriculturally attached to the Belfast Asylum?—I understand there are 57 acres of land; the City occupies 57 acres of land. The allowance, I am told, is one acre for each of the ten patients. That would accommodate 570 patients.

224.

Mr. KERR—continued.

364. What is the number there at present?—I think there are upwards of 600. That includes the county; the city would not have nearly so many.

365. I understand that Dr. O'Farrell reports that the present asylum in Belfast is barely sufficient for the requirements of Belfast alone?—As it at present stands, I understand that is as far as the building is concerned, but certain enlargements have been ordered, and other additions would have to be made to it. I understand that the estimates for the additions and improvements are that something like 18,000 £ would have to be expended upon it immediately.

366. Does that include the provision of an extra quantity of land?—No; as I understand it the land is ample for the Belfast lunatics, for 570, and that is far more than we hope to have for many years to come from Belfast; but the buildings are not sufficient. The land is ample to provide additional buildings for that number.

Mr. T. W. RUSSELL.

367. I want to clear up the position of the Board of Governors in connection with this matter. Am I to understand that the first move in the direction of increased accommodation for lunatics was by the Board of Governors of the asylum?—So I understand. We saw a notice in the papers that the Board of Governors had decided upon providing additional accommodation.

368. On the 10th March this same Board of Governors passed a resolution which appears on the paper which is practically on the lines of the present Bill?—Practically.

369. That is the second step?—The second step.

370. And on that step you acted in issuing the statement to the Members of the House of Commons referred to by Mr. Sexton?—Yes.

371. On the 13th July 1891 the Board passed the following resolution: "The Board approves of the preparation of the plans and the erection of the new asylum at Holywell, without waiting for the legal powers needed for a separation between city and county, thereby avoiding a delay of at least eight months." Up to that point the Board of Governors were of opinion that a scheme practically on the lines of the present Bill was desirable?—It appears so from the resolution.

Mr. Sexton.

372. That is not a resolution?—You will find that is passed later.

373. It was a notice of motion?—You will find it was passed as a resolution subsequently, although I have not it here as a resolution.

Mr. T. W. RUSSELL.

374. The council then took action. I find on the 17th October 1891 that acting upon the proceedings of the Board of Governors of the Asylum, and being advised that a Bill was necessary the said council took action to prepare and present that Bill?—That is so.

375. After that action had been taken this Board of Governors, which had been the moving spirit in fact of the action, on the 14th December

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1891

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Mr. BLACK.

[Continued.]

Mr. T. W. Russell—continued.

1891 passed a resolution which is given here in one of the last sheets. "That the Board, having carefully gone over the whole question and their previous minutes on the subject, are of opinion that the joint management of the Belfast and Holywell Asylums would result in advantage to the patients and economy of the public funds, and that separation should be postponed until both asylums are in working order, as urged by Mr. Owen, in his Report, 18th March." Up to that point, that is to say, after the town council had taken the action suggested by the Board of Governors themselves, had they ever hinted at any opposition?—Never. That was really after the notice had been given for the Bill, and the Bill prepared.

375. Even there they do not say that separation would be inadvisable?—No, it is only to postpone it.

376. There are one or two other points arising out of Mr. Sexton's cross-examination. The Lord Lieutenant practically nominates the whole of these governors, but in reality half the nominations are in the hands of the local bodies?—In reality. He issued a circular some two years ago.

377. What I state is practically the arrangement?—Practically.

378. How many governors are there of this asylum?—Twenty-two I think.

379. What is the population of the county of Antrim, including the city of Belfast?—I am afraid I cannot give it you from memory.

380. It has got well up to half-a-million I expect?—Yes, I think it must be fully half-a-million.

381. Do you know how many Roman Catholics there are in the county of Antrim, including the city of Belfast?—I cannot give you the figures from memory.

382. How many Roman Catholic governors are there on the Asylum Board?—I see three here that I know.

383. These were nominated by the Lord Lieutenant?—Yes.

384. And you propose in your Bill now to leave the nominations to the Lord Lieutenant?—Entirely.

385. So that if the Roman Catholics do not get fairly treated in the future the Corporation of Belfast will not be responsible, but the Lord Lieutenant will?—Certainly.

386. Have you any reason to believe that the present or any future Lord Lieutenant will hesitate to do justice to the Roman Catholics of Belfast and Antrim?—I have not the slightest doubt that full justice will be done them.

387. Who has the appointment of the borough magistrates in Belfast?—The Lord Lieutenant.

388. Not the Lord Lieutenant of County Antrim?—No.

389. He has the county magistrates?—Yes.

390. The Lord Lieutenant has the appointment of the borough magistrates?—He has.

391. If there be a deficiency of Catholic magistrates who is to blame?—I apprehend it must be the Lord Lieutenant. I do not think there is any such deficiency existing.

Further examined by Mr. J. D. Fitzgerald.

392. Perhaps I may put some questions by way of explaining one or two matters. I want to read a letter of the 15th October 1891, addressed to the Corporation by the Secretary of the Board of Control, inviting them to promote this Bill. "Referring to the above, which has been the subject of discussion and resolutions by your corporation, the Board of Governors and the Grand Jury of the County of Antrim, resulting in a unanimous decision that increased asylum accommodation is indispensable, and, so far as the governors are concerned, declaring that it is desirable to have a separate asylum for the County of Antrim independent of the City of Belfast, I am directed by the Board of Control to inform you that they are advised by the law officers that —." And then follows the opinion of the law officers, "under 1 & 2 George 2, chapter 33, the Statute conferring the power on the Lord Lieutenant to form districts for lunatic asylums, the district is to be composed of one or more counties, including in that counties of cities and counties of towns, and not parts of counties only. It is quite obvious from the legislation that constant units forming a district embracing more than one county must have separate taxing and presenting bodies, and has no application to such a case as Belfast, which, although made a county of a city by Charter, has no separate taxing and presenting body connected with it; and that, therefore, as the City of Belfast is still a portion of the County of Antrim, the Lord Lieutenant in Council cannot make an Order separating the rest of the County of Antrim from the City of Belfast, and constituting each a separate district without legislation." The opinion stops there for the moment and the letter goes on. "If separation is desired in their opinion also," and then this is their opinion; "the Bill should be a private one and be promoted by the Corporation of Belfast. They have also advised that, pending this legislation, the erection of a new asylum at Holywell may be proceeded with under 7th George 4, chapter 14, section 1, as an additional asylum for the present Belfast district. The Board of Control have been requested by the governors of the present asylum to inform your corporation of the law officer's opinion and to request that they will at once consider whether they are prepared to promote a Bill for the purpose of having the City of Belfast and the rest of the County of Antrim, including Carrickfergus, made into a separate district. That is an important element, and the board will be glad if the subject of this letter would receive the earliest consideration possible." That was taken into consideration at once, and on the 17th October you decided to promote the Bill?—That is so.

393. With regard to counties of cities and counties of towns, I think every large town in Ireland, except Belfast, is a county of a city or a county of a town, and a good many small ones as well?—Yes, there are a number of small ones, I know.

394. Take the town of Carrickfergus, which is close to Belfast, that is a comparatively small town?

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Mr. BLACK.

[Continued.]

Mr. J. D. Fitzgerald—continued.

town?—It is not a fortieth part of the size of Belfast.

395. And it is the county of a town?—It is.
 396. And could have been made into a separate lunatic asylum district by an Order in Council?—It could.

397. Owing to this technical matter that Belfast is not the county of a city, it was impossible to effect the desired object without a special Bill?—That was the case.

Further examined by the Committee.

Sir Edward Harland.

398. I reply to Mr. Sexton you said that the members of the corporation were recommended to be put on to the Asylum Board. Is there any

Sir Edward Harland—continued.

period or term for acting as governors?—Once a year. The appointment is usually made at the beginning of the year for the year.

399. That is with reference to the members of the corporation?—Yes, and for all the governors; they are only appointed for the year.

Mr. Sexton.

400. I understand that most of the patients are in the asylum of Belfast, and the remainder at Ballymena, in the workhouse?—So I understand. There are a hundred I understand, but the resident medical superintendent will give you that.

401. What is the total number in both cases?—I cannot say. The resident medical superintendent will tell you.

Sir JAMES HASLETT, sworn; Examined by Mr. J. D. Fitzgerald.

402. You are a member of the Corporation, and you have, I think, been Mayor of Belfast?—I have.

403. You also represented one of the divisions of Belfast in Parliament?—I did.

404. Have you been a governor of the lunatic asylum for a number of years?—I have.

405. And taken an interest in the management?—I have.

406. For some time past has the accommodation been found to be insufficient?—It has.

407. With the consent of the Board of Control, have you been obliged to board out some of the patients in the Ballymena Workhouse?—For a number of years there have been 100 patients boarded in Ballymena Workhouse.

408. Is that a satisfactory arrangement?—It is satisfactory as the best expedient we could have adopted; but it is scarcely a satisfactory arrangement in considering the question of lunacy.

409. It is not an arrangement you would like to continue permanently?—I do not think it is.

410. Were various schemes from time to time suggested for enlarging the present asylum?—Yes.

411. Did they result in anything?—No, there was a determined opposition by the Board of Control and their advisers against increasing very much the buildings on the present limited space of ground in Belfast.

412. Are the present buildings in a fairly good condition?—They are, considering their age. They have been kept up in good working order.

413. With some additions and necessary alterations, would they be suitable as an asylum for Belfast itself?—I think so. At present the plans have been completed for an hospital department that would accommodate 50 patients, and with the alterations that have been suggested and practically passed by the board of governors for structural changes of the main building, I think it would meet all the requirements of the district.

414. What is the amount of land you have for the Asylum?—Fifty-five or 56 acres, or about 53 acres available for agricultural purposes.

415. The rest, I presume, is covered by the buildings?—Yes.

228.

416. Is that a sufficient amount for all the patients that you are likely to have from the city of Belfast?—We contemplate that it would be quite sufficient, taking the natural growth of Belfast, and considering the past, for certainly twenty-five years.

417. It would give accommodation for between 500 and 600 patients?—It would.

418. I suppose at present the number of patients from Belfast is below 400?—Yes, about 360, I think.

419. Is the situation of the asylum convenient for Belfast?—Oh, yes.

420. As far as you know, would there be any objection in Belfast to removing the Belfast patients to a distance?—I think there would be a very strong objection.

421. Have you, as a governor, come to the conclusion that the best way of meeting the difficulty of the increased accommodation, is to have a separate asylum for the county?—I am not prepared to say that I have come to that conclusion, because I voted, in the first instance, in the minority. The opinion expressed by the County Members, which I believe, has practically become the general opinion, is that it is the best course to pursue to get us out of the difficulty.

Mr. Sexton.

422. What did you vote for first?—I voted for an enlargement of the asylum in Belfast.

Mr. T. W. Russell.

423. Which the Board of Control does not approve of?—No.

Mr. J. D. Fitzgerald.

424. Was the site near Holywell the new site for the county of Antrim selected as a county site?—It was.

425. Would it be a suitable site for the city?—Oh, no.

Chairman.] I suppose, Mr. Sexton, there is no objection on your part to the particular scheme and to the purchase of the site, but your objection is to the management.

Mr. Sexton.] Time is lost by the discussion of the question whether there is not sufficient accommodation at Belfast. We are disposed

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Sir J. HARLETT.

[Continued.]

disposed to admit that there is not, and so waive any objection to the establishment of a second asylum.

Chairman.] I do not understand that those you represent have any objection to the particular scheme before the Committee as to the purchase of land or erection of the new asylum. What you object to is the separation of the management of it from the existing management.

Mr. Sexton.] Yes; that question has been determined already. The Irish Government, in the exercise of their administrative powers, have determined upon a second asylum.

Chairman.] Then you may take this shortly, Mr. Fitzgerald.

Mr. J. D. Fitzgerald.] Yes; but what Sir James was saying was this, that the site which has been selected for the county would not be a suitable site for the city, and that involves the question of separation.

Chairman.] Of course it would be possible to make the arrangements so that Belfast patients should go to the existing asylum, and the county ones to the other. That is possible under whichever scheme of management is ultimately decided upon.

Mr. J. D. Fitzgerald.

426. Some of the officials will speak as to that. One more question on that. Was the assent of the Lord Lieutenant to the purchase of that site at Holywell, given on the understanding that separation was to take place?—It was.

427. Assuming that there ought to be two separate asylums, one at Belfast and one at Holywell, would any advantage, in your opinion, result from a joint board of governors?—I cannot see any. It, as the Chairman suggests, you lay down the principle that county patients are to go to Antrim and city patients to Belfast, I think it concedes the whole question.

Mr. Sexton.

428. In that case should you object to a joint board?—Decidedly.

429. Why?—They must be two separate concerns. There must be a distinct staff for each. I do not see what is to be gained then by combined management.

Mr. J. D. Fitzgerald.

430. With regard to the meetings of the Board there would be the difficulty of the two places?—I think there would be a greater difficulty in Belfast merchants coming to Antrim, a distance of 14 or 16 miles, to attend monthly meetings than there would be in the case of county gentlemen who do attend very regularly, because their natural course is into Belfast.

431. Summing it up, you think there would be no economy in the joint management?—After the best consideration I can give to it, I really cannot see the slightest economy in the joint management.

432. It would be, I think you told us, unpopular in Belfast?—Decidedly amongst the poorer patients.

Mr. J. D. Fitzgerald—continued.

433. Just a few questions about County Down. With regard first to the County Infirmary, are any patients sent from Belfast to the County Down Infirmary?—I am not aware of a single one.

434. With regard to the county officials, is practically anything done by the county treasurer or the county secretary for the city of Belfast?—I am not aware of anything that is done that payment is required for. I quite concede the principle that if there is duty done which remains to be done after separation would take place, there should be a fair and reasonable proportion, whatever it is, as between city and county.

435. The basis of contribution which was arranged in 1868, namely, the respective values, is not an equitable basis?—It has been entirely altered in its condition since then.

436. Just a question as to the industrial schools and reformatories. Do you see any reason why the Corporation of Belfast with regard to these institutions should not be in the same position as the Corporations of Dublin, Cork or Limerick?—The Corporation of Belfast, as far as I have been aware from long experience, get their estimate from the county of the required sum for industrial schools. It is made a part of their estimates for the year, and it is paid without any consideration of what denomination is to get it. I believe the same course would follow invariably if the Corporation were the administrators instead of the grand jury.

437. Do you think if this Bill is passed there would be any danger of any unfair treatment of Roman Catholic children as compared with Protestant children?—I do not think there would. I think there is an impression that the children are committed from both sides of the river, both the County Down side and from the entire borough of Belfast. Its administration is in the hands of the local magistrates. The County magistrates do not interfere. All the children within the limits of the borough are sent by the local magistrates sitting in the Belfast Petty Sessions. If they are outside, the administration is in the hands of the county magistrates. It requires two magistrates. A stipendiary magistrate cannot send children to an industrial school. It requires either two justices or two resident magistrates.

Mr. Sexton.

438. Or one of each?—Or one of each, as is generally the case in Belfast.

Mr. J. D. Fitzgerald.

439. The only duty to be performed by the Corporation would be to pay?—That is all.

440. That payment is now made by the Corporation, but through the hands of the Grand Jury of the County of Antrim?—It is.

441. They prefer to make the payment direct?—If they separate, of course it will come direct.

Cross-examined by *Mr. Harrison.*

442. You are here as representing the existing Asylum Board, and also the Corporation?—I suppose I am being examined generally.

443. This

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Sir J. HASLETT.

[Continued.]

Mr. Harrison—continued.

443. This Bill is a Bill in its main object and original intention to separate these Asylum Districts?—It is.

444. It is altogether an afterthought of the Corporation, putting in these ingenious clauses to escape certain taxation?—Oh, no; I think whenever a Bill akin to the same subject comes into the House of Commons, it is fair and reasonable that the various subjects touching upon that point should be placed in the Bill.

445. Is building an asylum at Holywell in your opinion a kindred subject to paying the secretary of the County Down?—It is a separation for one purpose, and you may deal with separations that exist for another purpose in the Bill reasonably.

446. Separation took place in 1868?—I think it was in 1868 or 1869.

447. Are you aware of your own knowledge, or from what you have heard, that the contributions to the taxation were fixed then by agreement, and afterwards put into the Act?—I am aware that they were.

448. Is it in accordance with your theories that solemn contracts entered into, when they prove inequitable on the one side or on the other, should be repealed by Act of Parliament?—That has been the practice of Parliament hitherto in very many departments, and where a fair case is made out it has to be considered by Parliament.

449. Is it your idea that the Belfast Corporation in 1868 were not able to take care of themselves when they entered into that bargain?—I think they were. The condition of affairs has altered, and they design to take care of themselves now.

450. Has the condition of affairs altered in any one way except that Belfast has grown?—It has.

451. In what way?—The gaols were then a part of the county administration and county payment.

452. Are you aware that the county secretary had not one single thing to do in the administration of the gaols?—I believe he had.

453. Are you aware of it?—I am not.

454. The secretary is here to swear that he had not?—Well, you will hear it from him then.

455. Why should you put that forward as a reason?—I am telling you that the conditions have altered. At that time gaols were under the administration of counties, and now they are under Imperial administration.

456. If the secretary had nothing to do with the gaols, I do not think it matters very much under whose administration it is?—The whole matter exactly will be covered by the fact that if in the future he has to do anything for the city of Belfast, I think he should be paid a fair quota as between the city and the county.

457. Would not that have been a fair arrangement to have entered into in 1868?—It would.

458. It was not the arrangement?—If it were not done, there is no reason why you should not redress a grievance.

459. Was not it part of a general bargain that was made then?

[Chairman.] I think this is all matter of argument which you will present to the

Committee at the proper time. It is not matter of evidence in the mouth of the witness.

Examined by the Committee.

Mr. T. W. Russell.

460. Do you know whether the population of the City of Belfast proper is greater than the population of County Antrim outside the city?—At present it is a trifle greater, but it is almost equalised.

Sir Edward Harland.

461. Referring to the copy of the Minute, dated the 14th December 1891, in which they suggest in their own interest that separation should be postponed till both asylums were in working order, what was your object as one of the governors in thinking that it should be so postponed?—I opposed that and moved my resolution. That was carried, I think, by five to two.

Mr. T. W. Russell.

462. Carried in your absence?—No, the first resolution. The rescinding was carried. Then, as you will see, I gave notice of motion that that rescinding motion should be rescinded, and I lost that by six to seven, only one vote.

Sir Edward Harland.

463. In that case you were a governor at the time, and no doubt were posted up in the general views of the board of governors at the time. What in your opinion was the object of the governors; not of yourself, because you dissented, but of the governors, in postponing the time until then for determining what they should do. Was it with the object that they should then, as it were, be able to say we will or we will not dissolve partnership with the Belfast Corporation?—It is very difficult for me to tell you what their object was, but if you want my own impression of their object I will give it you. My impression was that they would like to see the ultimate cost before they would do anything; whether it would be a good or a bad bargain, I think they did not want to go into an unknown quantity.

Mr. Knox.

464. That seems an object which was quite legitimate for the county of Antrim to look to?—Quite so, and quite legitimate for the city people to look to on the opposite side.

465. They found, perhaps, by this time that the new asylum would cost rather more than they had originally contemplated?—I think that was their dread.

466*. Has the contract been drawn out?—Oh, no.

467. Nothing of that sort has been done?—Oh, yes.

468. And plans I suppose?—No, I think Mr. Lanyon, who was appointed by the Board of Control, with the consent of the governors, has drawn out a rough sketch plan, but we have not been able to get from him any estimate of the cost, or an approximate estimate, and I think that is the difficulty with the County Members, and fairly so.

468. Have

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Sir J. HASLETT.

[Continued.]

Mr. Knox—continued.

468. Have the board of governors asked him to make an estimate?—They have.

469. And he has refused to do so?—No, he is not sufficiently far advanced.

470. This has been going on a long time?—If you know anything about architects you will know that the actual cost of a building is kept in the back-ground till you get pleased with the building, and then the cost comes.

Chairman.

471. I suppose that could be guessed at, within fair limits?—There is an approximate idea as to what asylum accommodation should cost; it ranges between 100 £ and 200 £ a bed.

472. I should have thought that that was a wide limit?—It is a very wide limit; experience, I think, makes people very careful about building asylums.

Mr. Knox.

473. And that is, I suppose, why the county Antrim people thought that as the Belfast Asylum has been built, and the Antrim Asylum has not been built, it would be well to wait till both were built before these equitable adjustments were made?—I think it would be then inequitable, because it would be built with considerations which might not exist if it were purely a county asylum. As a diminishing quantity they would naturally legislate for themselves. In the city, as an unreasoning quantity, we should naturally legislate for ourselves.

474. As to the accommodation in the Belfast Asylum you said there were 360 patients now from Belfast in the joint asylum?—I was speaking roughly.

475. Of course you are only speaking from recollection. I find that Mr. Owen of the Board of Works says there were 440 patients from the city of Belfast in the Asylum?—I think I can give you the exact number.

Mr. J. D. Fitzgerald.] Are you sure that that does not include the proportion of Ballymena?

Mr. Knox.

476. I dare say it does, but I understand all are to come into this Belfast Asylum now?—Dr. Meyrick can give you the exact number for each.

477. Suppose that it is 440, as I understand, no matter what you do with the present amount of land the Belfast Asylum cannot be made with accommodation for more than 600 patients?—Well, I suppose doctors will differ on that point. I should say there is every other accommodation in the house that it might fairly and reasonably accommodate 600 patients. The majority of the people coming to the asylum in Belfast are city people, poorer people. Their trades and occupations will not allow them to engage in agricultural pursuits; consequently you have nothing but practically in-door work in amusing them as far as you possibly can. Therefore, the number of statute acres required for each patient should not be considered in the same sense that it would be considered if it were an agricultural or rural and a city population.

478. That was your view I understand, and

Mr. Knox—continued.

the Board of Control take a different view?—They do.

479. The Board of Control are the masters in this matter, are they not?—They are in that respect, but I am not quite prepared to say that if separation took place, and the conditions of this population were made known to them, that they would not alter that arbitrary rule or that supposed rule which they have as to the quantity they require for each. You can see for yourself that a city population does not require the same acreage as a rural population.

480. At any rate there is not a very large margin at present for the Belfast Asylum?—Considering the average insanity of three in the 1,000, and considering the accommodation for the imbecile portion in the workhouse, I think it would fairly and reasonably meet the demands for Belfast for the period I have stated.

481. With reference to the imbeciles in the workhouse, I want to know your opinion on that point. As I understand, you will say whether I am right or not, there is a large medical opinion held by many people in Belfast that many of the persons now in the workhouse ought to be in the asylum, that there are medical reasons which make it desirable?—That is a matter which I could not express too strong an opinion upon because it is a purely medical question. I dare say there are cases also the other way where the creature is simply living with scarcely intelligence enough to feed. In each case probably there might be an exchange, but wherever a person becomes difficult to control or otherwise in the workhouse he is immediately transferred to the asylum, and the reverse. A case which the ordinary machinery of the workhouse will meet is taken away to save over-crowding.

482. Supposing additional land was required, could you give any rough estimate as to what the cost would be of land adjoining the present asylum?—I do not think you could get land there for an outlet. Belfast is extending so rapidly that the outer area becomes engaged. We tried to get land for a large asylum to abolish this altogether, and to get land in the immediate neighbourhood of Belfast, but we found the cost of the land was so excessive that it could not be touched.

483. What time does it take by train to get to Holywell, where this new asylum is to be?—About an hour.

484. As to the industrial schools, could you explain what practical object there is in the proposed change of authority in the matter of industrial schools?—I think, for financial purposes, if you separate from the county for this you could fairly and reasonably separate for the other. The machinery by which it is arrived at is this. The requirement for the city of Belfast is presented to the Grand Jury. Then it is presented at the assize, and then they have to present it to the council and get paid the amount. I really do not see the necessity for running that roundabout way when it could be presented direct.

485. Do you think that some economy might be effected if the Belfast Corporation directly dealt with this matter?—I do not see that there would

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Sir J. HASLETT.

[Continued.]

Mr. Knox—continued.

would be much economy, but I think it is the reasonable course to present directly. We have all the Grand Jury powers for other purposes, for malicious injuries, and so forth, and I do not see why you should go out of that machinery, and have to present through the Grand Jury for a thing that is purely local.

486. If there is no economy, it is merely an anomaly?—It is an anomaly I think.

487. There is no practical object to be gained?—It is, practically, an anomaly, and there may be this difficulty, that the machinery of the Grand Jury necessarily and fairly requires to be paid for. If you remove the duty, you cease to pay the officials of the Grand Jury, and you merge the payments into your officials at present who really are paid as a corporation.

488. What is the payment now made to the officials of the Grand Jury in connection with this?—I forget.

489. It is something very trifling?

Mr. J. D. Fitzgerald.] 45 per cent. of the salaries.

Mr. Knox.

490. As I understand, you make a very good bargain; 93 per cent., roughly, of the expenses in connection with the reformatories and industrial schools are now the Belfast expenses?—Yes.

491. You only pay 45 per cent. of the salaries of those who deal with that?—Those are purely official's salaries for general administration, but the presumption is the 93 per cent. as the payment for the proportionate number that we send from the city. That is arrived at by evidence. We took the statistics before that was arrived at and had the relative proportions sent by the county and the city. You can easily understand in a closely packed community, the number of people requiring to be sent to industrial schools must be greater than in a rural community.

492. You did not know at the same time, did you, how many of each were of different denominations. Did you find that out at the time you were making this inquiry?—No, it is 25 years ago and I was very young then.

493. You do not know the particulars as to how much of this cost for industrial schools was due to Belfast, and how much to Antrim?—No.

494. That I understand was a recent inquiry?—Oh, no, our proposition of county Antrim is capable of being settled every five or ten years. It is in our Separation Act. We can call an arbitration.

495. When was the 93 per cent. settled?—I really forget. The town clerk can tell you.

Mr. J. D. Fitzgerald.

496. It was in 1887?—It will be settled again in another year or so. Each party according to our Separation Act have a right to call for arbitration if they think there is any injustice.

Mr. Knox.

497. I would like to know your opinion as a representative man of Belfast on this point. Do you think it is right that public money should

Mr. Knox—continued.

be paid over to convents?—Do you mean as educational institutions?

498. Or in any capacity?—I think if you have a convent as an educational institution under the State, that we are bound to obey the law of the State in connection with it.

499. Supposing you have an option whether to do it or not, is it right to pay public money to convents?—As to whether I should leave a Roman Catholic child uneducated or pay for it through a conventual institution.

500. Would you pay for it out of public money or leave the Catholics to support the children themselves?—So long as there were Protestant institutions under the same conditions, I would pay for a Roman Catholic.

501. You think money should go to convents?—Not public money to convents as convents, if you mean that, but as educational institutions under the National Board.

502. These convents are under the National Board, most of them?—I think so.

503. They may not be all under the National Board?—I think they are administered under the National Board.

Mr. T. W. Russell.

504. What Mr. Knox is speaking of are industrial schools. They are not under the National Board?—No.

Mr. Knox.

505. Most of them are not?—Not if you are speaking of industrial schools.

506. There are some industrial schools which are convent schools?—

Mr. T. W. Russell.

507. As a matter of fact, we have no evidence that any of the industrial schools are convent schools. As a matter of fact we have not received a single title of evidence, that one of these industrial schools is connected with any conventual establishment. You do not know whether they are or not?—I do not.

Mr. Knox.

508. Do you or not think there is a strong feeling amongst many people in Belfast against any support directly or indirectly being given to convents or any similar monastic establishment?—I do not know that that feeling is strong; but in so far as this is concerned it is the administration of the law with regard to industrial schools, and it is a question for any man to consider whether he is to leave a youth to become a criminal or to adopt the means that the State has appointed to try and redeem him from that. If his parents are unable to control him; if he is likely to become a criminal, we take up his education by the best means the State has at present devised, and we are called on to contribute to that in connection with the Industrial Schools Act, and I do not think Belfast would raise the slightest question.

509. Would you object to a provision, to meet the possibility of such a thing, being inserted which would compel contributions?—If you can show me that such a provision has ever been inserted in any kindred Bill with regard to any

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[Continued.]

Mr. Knox—continued.

similar subject I would consider it very favourably.

510. If we were to take the words of an English Bill introduced, I think, and passed by the Home Secretary last Session which removed the option and made it obligatory on the local body, would you object to the insertion of such a provision?—It would be dangerous to institute the principle of English Government in Ireland under present conditions. I think it would be better to wait a while.

511. Would you take this provision?—Give us the whole of the Government and then we would go on the same lines if you make them universal. The moment it becomes the law of the land we will be governed by it, and carry it out loyally.

512. You would have to?—I do not see why Belfast should be put under a ban.

513. As I understand it, the only object of this provision is to give an option to the Belfast Corporation whether, or not, they should contribute to industrial schools?—No, it is to remove the machinery from the county, and the circumlocution you have, and bring it at once direct to the corporation to be the direct payers.

514. The practical effect will be to give them an option they have not now?—The grand jury have the same option.

515. The Corporation have no option now?—They have no option, but the grand jury has the same option, and there is no little danger of the Corporation as the grand jury. Practically you have had all the time that the administration has been in the hands of the grand jury a perfect administration of the law. The Corporation have never petitioned the grand jury not to present these amounts, and have not in any way expressed an opinion against them but have paid whatever amount was presented and would do so again.

Mr. Hinchey.

516. They do not know the instances in which they are paid but merely grant an aggregate sum?—They know the instances. The Grand Jury Return is presented to the council, and the report of the year gives the industrial schools.

517. There has never been any difficulty raised?—Never.

Mr. Knox.

518. You would not think it as well to let well alone in this matter?—I do not really know what is to be gained by letting well alone, and I do not know what is to be lost, and I think the Corporation are as fair administrators as you can get on the Grand Jury.

Mr. Sexton.

519. You suggested it would be putting Belfast under a ban; but you have recognised that there is something peculiar in the condition of the city which, in a municipal body of 40, has no Catholic, and yet there are 70,000 Catholics in the town, I think?—About that.

520. Does not that constitute a peculiar condition?—It does.

521. It would suggest, at any rate to Catholics, the expediency, if not the necessity, of making some exceptional provisions?—I

Mr. Sexton—continued.

dare say they would wish to do it, but I do not think that the fault of the Corporation being exclusively Protestant rests with the Corporation. I think it is the constituency.

522. I do not suggest at all it is their fault, but, the fact being so, suggests to us the duty of considering whether a large unrepresented body of persons, 70,000 of one creed, should not have some practical protection. Did you hear me read out a list of employees of the Corporation?—I did.

523. Do you know whether it is correct?—Really, I could not say. I never heard the question of a man's religion asked in the Corporation.

524. Still, the fact remains, that they do not appoint persons of any religion than their own?—I think they generally take the best man they can get.

525. They may think the Protestants the best men?—I do not think they do.

526. Taking these two facts together, that, first, out of 270,000 persons, there are 70,000 Catholics with no representation on your council; and, secondly, that your council, out of 82; poets, have appointed 80 Protestants, and out of a salary fund of 16,500 L. a year the Catholics only get 200 L. or 300 L., does it occur to you as unreasonable that Catholics, in that state of affairs, should seek for some protection when the proposal is to give unlimited discretion to that body in regard to matters in which Catholics have a special interest?—I think, if they could show in any way that the Protestant Corporation of Belfast had voted against them in relation to such a matter as schools when they have perfect power to do so, it would be another matter. The Corporation might have at once said to the Grand Jury we notice you not to present for these things because we will not pay. If there had been an arbitrary spirit we might have said at once to the grand jury do not present for this.

Mr. Knox.

527. They would all have been mandamus and sent to gaol if they did not pay?—No; they could have noticed the grand jury not to present the thing.

528. They are compellable by law whether the grand jury present or not?—They could have noticed the grand jury if they had been the body which Mr. Sexton mentions.

Mr. T. W. Russell.

529. Nothing of the kind has taken place?—Nothing of the kind.

Mr. Sexton.

530. Still, there would be a fundamental difference between the present system and the one you propose, because the Corporation now, as I understand, are bound when the grand jury make a presentment to pay the aggregate sum; whereas under your new proposal the Corporation would have the absolute option, with reference to any school or any proposition, to say we do not intend to pay you!—The same option that the grand jury has.

531. It transfers that option?—It transfers that option to the parties who pay.

532. That is to the Corporation?—Yes.

533. Do

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[Continued.]

Mr. Sexton—continued.

533. Do you think that the Catholics of Belfast would feel the same confidence in the corporation, looking to the facts I have stated, with regard to their treatment of Catholics that they now feel in the grand juries of Antrim and Down?—I could not exactly say what the Roman Catholics would think, but if they thought out the subject I think they must be convinced that in connection with education the great object that Protestants have is to educate the people, and if education through industrial schools is to be carried on, I do not think there is any thoughtful man in the corporation who would not vote readily the money as the best means of saving a member of the community from becoming a criminal.

534. But if public spirit is to be considered it does not seem to have occurred to the corporation that the 70,000 Catholics in the city have anything like a proportionate right to employment in posts paid for out of the civic funds?—I do not know any case in which a Roman Catholic has applied for one of these higher situations that you refer to and has been refused with the slightest colourable reason on the ground of his religion.

535. The proportion, however, of 2 to 80 amongst the officials is very different from the proportion of 70,000 to 270,000 amongst the inhabitants?—It is.

536. Are you a member of the board of guardians?—I am not.

537. Do you remember the Bill brought in by Mr. Balfour, in which he proposed that the local justices should cease to have judicial jurisdiction?—I remember a Bill brought in by Colonel King-Harman.

538. He was Under Secretary at the time?—I do not think Mr. Balfour had anything to do with it.

539. Colonel King-Harman was acting as Mr. Balfour's Under Secretary?—I know he was, but I think he was the parent of the proposal.

540. It was a Government Bill?—It was.

541. Would you have any objection to this, that the questions of the commitment of children to reformatories and industrial schools should for the sake of confidence be placed in the hands of stipendiaries not connected with any local interest?—I would.

542. Why?—Because I think the local magistrates have a much better local knowledge of the requirements of the community, and experience goes to show that in the administration of the law they are much more anxious to send children to industrial schools than any other magistrates. Saturday is universally the rule. We are careful not to send children to industrial schools on every day in the week and without general inquiry, and Saturday has been made by common consent the usual day. We make inquiries, and pending those the child is sent to the workhouse, and, I think, I am right in stating that then you have universally two or three local magistrates and one stipendiary magistrate; and the rule has been invariably to try, as far as possible, to release the child from the difficulties it is placed in, if the case is properly proved. I do not think any case is made out for changing that. It appears to me

228.

Mr. Sexton—continued.

this is a new-fledged love of stipendiary magistrates that certainly is rather extraordinary.

543. Circumstances alter cases?—The circumstances do not justify the case, because the facts are dead against it. Past experience justifies us in forming our conclusions.

544. Any case of a commitment to an industrial school would be a question of evidence as to danger to the child, and the position of the child?—Yes. The main point that must weigh with the magistrate is first the danger the child has been proved to be in. The next is the character of the parents; the surroundings; and whether there is any possibility of allowing the family relationship to remain. If not we commit it to the State.

545. The stipendiary magistrate would be as good a judge of that as any other magistrate?—You would have to alter the common law of the land, because it would require two stipendiary magistrates.

546. You would object to any provision that the stipendiary magistrate should deal with the cases?—If there is any objection to altering the state of the law in one respect we should object to it in the other.

547. You think the discretion should remain in the hands of a preponderating Protestant local bench?—I do not think it is preponderatively Protestant.

548. Fifty-eight to nine?—That is more than the relative proportion in the City of Belfast.

549. Still it leads to the presumption that the bench would be preponderantly Protestant on those particular occasions?—The Protestants are not in large preponderance relative to the entire body, and the relative number of Roman Catholic magistrates to Protestant is greater than the relative numbers of the inhabitants.

550. Would you object to any arrangement by which the proportion of Catholics in the population could be represented on the corporation as they are on the bench?—I do not see any arrangement unless you alter the entire law, and give representation to monitors, and then I should be quite prepared to consider the question.

551. Do you object to a redistribution of the wards?—No, I have never offered any objection. I do not in the proper place, and I have expressed my opinion on that before a Committee of the House of Commons.

Mr. T. W. Russell.

552. You hardly think this Committee the proper place to go into it?—I do not.

Mr. Sexton.

553. When you are seeking fresh powers which affect Catholics would you not think it a proper time to deal with such questions?—I think it is purely a sentiment. It does not affect Catholics in any way. The administration of Belfast is full testimony to that.

554. Surely you would admit that the strong opinion entertained by a large class of the community with reference to their own interests is entitled to respect?—I think the opinion is largely fostered by a few interested parties. The general mass of the people never expressed that opinion.

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555. Have

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Mr. Sexton—continued.

555 Have you any doubt that the opinion of the Catholic body of Belfast would correspond to the opinion that has been laid before us by the Catholic petition?—I hardly think it. I think the intelligent Roman Catholic working population of Belfast, if asked which they would take, upon the whole would take a Protestant as soon as a Roman Catholic and perhaps sooner.

(Chairman.) I do not think we can go into this question.

556. We shall have evidence of that from witnesses more competent to speak for the Catholic population. How far is Antrim from Belfast?—About 14 miles.

557. Is there a railway communication?—Yes.

558. What time does it take to go from one place to the other?—About an hour.

559. The point has been raised that there would be a difficulty in asking Belfast merchants to meet in Antrim. If the two asylums were under one management might not the board still meet at Belfast, with a joint committee to look after the Antrim Asylum and report to the board?—They might, but I do not see that you are to gain by that. I cannot see it and I have tried to work it out.

560. By a single board?—By a joint board. I really do not see it. It is not a question of feeling or sentiment with me. I cannot see what you are to gain by a joint administration.

561. The grand jury of Antrim are apparently unanimously of opinion that the joint board is more economical?—They have not given us any particulars. Probably they could give you the particulars, but so far as I could judge I have not seen one way in which it could be more economical.

562. The fact is that the grand jury are of that opinion?—They are.

563. At a meeting of the board of governors only yourself and Dr. Whitaker dissented from a resolution in which it was declared that the joint management would be not only adequate but economical?—There were only seven present (five county men and two city men); but the resolution was again brought forward, and the voting was six and seven.

564. Which resolution?—Rescinding that.

565. This resolution of the 14th December 1891?—I gave notice immediately, realising that it was an unfair thing.

566. On what date was that considered?—The following month.

567. What was the voting?—Six and seven.

568. Six for you?—Yes; six for rescinding the motion, and seven against it.

569. Who were the six?—Five city members and one county member, Mr. Hewson, of Orangefield.

570. Would it not be possible, under a joint board, to keep the 360 Belfast patients, so many as there might be, in the Belfast Asylum, and let the county asylum be used for the county patients, with an interchange in particular cases when the physicians thought it advisable?—That is more a physician's question.

Mr. Sexton—continued.

571. Would it not be practicable?—I think there is very considerable difficulty about carrying that out, and, if you adopt that, then the cost of transit between place and place will do away with all the hope of saving money.

572. I understood medical opinion was that it was expedient and advantageous in some cases to have another house?—I believe there is some idea that if a patient is practically almost sane in mind and you wish to restore the health of body, if you had a convalescent home well situated you would be able by taking the patient out of the surroundings of insanity to restore the body and mind to complete power; but the number of cases in which that will occur is so small that the idea of building a separate asylum for it, I think, would not enter into the mind of any sane man.

573. The number of cases being small the question of expense would not be important and could not such a transfer be more conveniently made where the two houses were under the one board than when under separate management?—You could not transfer at all if under separate management except in the case of overcrowding, but with this separation here you have power to send from place to place and pay the costs for it, and I should say that even with the separation it would be quite possible to work out the machinery.

574. Rather troublesome?—No, because you simply send a man to Antrim, and pay 8 s. 6 d. a week as you do to Ballymena Workhouse.

575. What do you pay your secretary in Belfast?—I can give you the list.

Mr. T. W. Russell.

576. You have a resident medical superintendent?—No, we have what is known as a clerk. Formerly we had a clerk and storekeeper under one. He died lately, and the board of governors, with the sanction of the board of control, have separated the two appointments, and there will henceforward be a clerk and storekeeper. I have the list of officers. The clerk gets 120 l. a year.

Mr. Sexton.

577. Would you not require two clerical staffs if you have two boards?—You would require it in any case; a clerk at Antrim and at the other place. It would be impossible to get on without them. I estimate the clerk at Antrim would cost 100 l. a year; and the clerk at Belfast 120 l.

578. What is the clerical staff at Belfast?—Clerk and storekeeper; that is all.

579. Has the clerk any assistant?—He has not.

580. Would you require as large a medical staff for the two houses, considering they are connected by railway and an hour's journey apart, with a single board as you would have with two boards?—I think so. I think no one man would venture on the charge of 400 patients alone. You may find a critical case arise in a moment. You are not dealing with the ordinary conditions of life, and I do not think any man would venture, and I do not think it would be desirable for a man to have charge of 400 patients with an assistant separated some 14 miles; because a man in Dr. Merritt's position would be the

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Mr. Sexton—continued.

the responsible and accountable man. The other would be only accountable under him, and 14 miles distant no medical man would accept the accountability.

581. Do not you think that under a joint board the medical necessities might be met by an arrangement that a less expensive medical man might officiate in Antrim under the superintendence of a superior medical officer at Belfast?—In the case of an asylum I think they will only appoint a fully qualified medical man.

Mr. T. W. Russell.

582. The Government appoints?—The Government appoints, and I think they have their stated salaries for certain sized asylums.

Mr. Sexton.

583. Have you only one medical man in Belfast?—Two, Dr. Merritt and an assistant. Dr. Merritt has 825 l. salary all told, with good service money. The assistant has a salary equal to 218 l.

584. There would be two also at Antrim if there was a new board?—There would, and I estimate those two would cost you about 750 l.

585. Would you require four if you had a joint board: two in each case?—I do not see that you can do without them.

586. The patients will be equally divided between the two?—At present, considering the population of Belfast, the patients, I think, are about 360 to 340. Belfast as a city has about 360.

587. Do you say that contracts for the supply of all the requisites, clothing, food, medicine, and so forth could be had anything like so cheaply when you divide them between two bodies of 360 and 340, as if there were one set of contracts for supplying the wants of the whole 700, which could be dealt with by a joint board?—I think you would not make any appreciable difference in the contracts.

588. Not whether double the quantity was contracted for or not?—I do not think it would. Considering the amount of work done inside the asylum you only buy the raw material, and I

Mr. Sexton—continued.

do not think it would make any appreciable difference. It is not the law of quantity that steps in. In the first place any man contracting would contract at the price for delivery to Antrim. I dare say the Antrim house would buy its materials better in Antrim, agricultural materials, than we could in Belfast.

589. You do not think the joint board being able to manage the two houses by one operation could purchase its supplies more cheaply?—Indeed after the best consideration I can give to it I do not think they would. I think, therefore, there would be no appreciable difference between a contract or a tender for 360 and a tender for 740.

The witness withdrew.

Mr. J. D. Fitzgerald.] Before the Committee adjourns will you allow me to refer again to what I said in the opening of the proceedings and to ask you to get an order from the Speaker for the attendance of Dr. Plunkett O'Farrell and Dr. Courtenay.

Chairman.] I thought you intimated that an expression of opinion from the Committee would do as well.

Mr. J. D. Fitzgerald.] The expression of your opinion is quite sufficient.

Chairman.] I think the Committee are of that opinion.

Mr. Sexton.] Could we have the correspondence between the corporation and the other authorities with respect to the building. The board of control, the board of governors, and the grand jury.

Chairman.] Can you give us the correspondence between the corporation and the board of control.

Mr. J. D. Fitzgerald.] Any correspondence which we have I will put before the Committee if they desire it.

Mr. Sexton.] Between the corporation, the board of control, the board of governors, and the grand jury with reference to the building.

Thursday, 5th May 1892.

MEMBERS PRESENT:

Mr. Arthur Elliot.
Sir Edward Harland.
Mr. Hinckes.
Mr. Knox.

Mr. Shaw-Lefevre.
Mr. T. W. Russell.
Mr. Sexton.

THE RIGHT HON. GEORGE JOHN SHAW-LEFEVRE IN THE CHAIR.

Mr. J. D. Fitzgerald.

BEFORE I call the witnesses, Sir, I am happy to be in a position to state to the Committee that terms have been arranged with the grand jury of Antrim and with the grand jury of Down, so that neither of those bodies are now opposing the Bill so far as I know.

Chairman.

There is no opponent appearing by Petition?

Mr. J. D. Fitzgerald.

There is no opponent appearing against the Bill by Petition upon this side of the table, and that being so, I propose to examine the local witnesses as shortly as possible.

Mr. DANIEL DIXON, sworn; and Examined.

Mr. J. D. Fitzgerald.

590. ARE you the Mayor of Belfast?—I am.
591. This matter, as we know, has come before the council over which you preside?—It has.

592. Speaking generally, do you consider that this proposal to make the existing Belfast Asylum the asylum for the city is a good one?—Yes, I do.

593. Under the new Borough Funds Act (Ireland) the promotion of the Bill for this matter had to be considered by the council at a special meeting, had it not?—It had.

594. Was the resolution to promote the Bill unanimously adopted?—It was passed unanimously.

595. After that it had, under the same Act, to be submitted to a general meeting of the ratepayers, had it not?—Yes.

596. Did you preside at that meeting?—I did.

597. Was there any opposition at all?—No; there was no opposition whatever.

598. Was the resolution passed unanimously to promote the Bill?—It was.

Chairman.

599. When was that?—About January or February; I am not sure which.

Mr. J. D. Fitzgerald.

600. Under the same Act you have to get the approval of the Chief Secretary to the promotion of the Bill, have you not?—Yes.

601. Has that approval been given?—I believe it has.

602. Taking it very shortly, do you believe that there would be any economy in having a joint board of management for those two asylums, separated as they would be by some 18 or 20 miles?—No; I do not believe that there would be any economy. If there had been room enough

Mr. J. D. Fitzgerald—continued.

to build a large asylum, I believe that it would have been an economy to have kept it altogether; that is to say, if we could have enlarged the present asylum on the present place; but we have not room.

603. But as there must be two asylums there is no economy in having a joint board of management?—No economy whatever.

604. One other matter has been brought prominently before the Committee, and that is the question of industrial schools. Supposing that the powers which are sought by the Bill were conferred upon the Corporation, is there any reason, in your opinion, for the suggestion that those powers would be unfairly exercised as regards Roman Catholics?—None whatever. I am quite sure that Roman Catholic children will be treated in the same way as Protestant children.

605. Do you think that any member of the Corporation of Belfast would prefer to see the Roman Catholic children running about the streets and brought up as rogues rather than see them sent to a Roman Catholic school?—No; they would rather see them sent to a Roman Catholic school.

606. I believe the date of the meeting of the ratepayers was the 8th of February?—Yes; I know it was about that time.

Mr. Sexton.

607. You were in the chair at the meeting of ratepayers, were you not?—Yes.

608. Was that meeting numerously attended?—No, not very largely.

609. How many burghesses are there in Belfast?—I could not tell you; I am not sure of the number.

610. There

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Mr. DIXON.

[Continued.]

Mr. Sexton—continued.

610. There about 30,000, I believe?—Yes, about that number.

611. How many were at that meeting?—Outside the members of the Corporation?

612. Yes?—There were not many; I could not answer that question.

613. Were there 100?—I do not think there were 100.

614. Were there 50?—I do not think there were 50; it was a very small meeting.

615. In what newspapers did you advertise notice of the various proceedings?—It was in the "News Letter" and "The Whig," I know.

616. Did you advertise any of the proceedings in either of the newspapers that circulate amongst the Catholics?—I am not sure as to that.

617. But you are sure that you did advertise them in the "News Letter" and in "The Whig"?—I know it was advertised in that because I read it. It may be in the other paper, but I am not sure about that.

618. As to the question of finance, you propose to raise stock for the purposes of this Bill, do you not?—Yes.

619. What stock have you issued already altogether?—I have not the figures before me.

620. Have you issued stock instead of all your debt?—We have; I think it is nearly all issued now.

621. I notice that in regard to the stock issued for the purposes of industrial schools, and also in regard to the stock issued for the purposes of the asylum, you have put a period of 60 years into the Bill for the purpose of redeeming the stock, no matter what the purpose may be for which it is issued?—I thought it was not so long as that.

622. Do you expect the Committee to agree to give you 60 years for the redemption of stock without regard to the transiency or permanency of the object for which the stock was issued?—I think they would be quite right in giving us the power that we seek.

623. Are you aware that the practice of Parliament is to the limit of time for redemption according to the nature of the purposes for which the stock is issued?—Yes, in some cases they give 20 years.

624. What was the origin of this scheme concerning the asylums; did it arise out of the insufficiency of the accommodation?—Yes, altogether.

625. The first idea was I believe to extend the present asylum?—Yes, but we had not enough land for that.

626. You have 53 acres of land, have you not?—Yes.

627. That is something more than they have in Dublin where they have twice as many inmates?—I think they have an acre for each 10 patients there.

628. And you have an acre for each 12 patients?—Yes.

629. The first idea was to extend the asylum?—Yes.

630. Was not the adoption of the idea of a second asylum due to the consideration that the health of the patients would be better served if cases could be classified into two asylums and

Mr. Sexton—continued.

if the particular nature of the mental malady could be kept in view with regard to the choice of the one or the other asylum?—No, I do not think so. I was not a member of the Board at the time that this matter was discussed.

631. But you have been a member of the Corporation all the time?—Yes; but those matters that you are speaking of were not discussed before us.

632. You discussed the matter several times in the council and the committee, and I dare say scarcely any aspect of it has escaped you. What is in your view the reason why instead of extending the present asylum it was decided to build another?—Because we have not room on the present ground, and we should not be allowed to extend it any further with the number of patients that we have. I understand that we have more patients than we have a right to have by the Act of Parliament.

633. Do you not know that that is the case in nearly every asylum in Ireland?—Yes; but we are bound to build.

634. Are you not aware that building operations are going on now in other asylums in the country where they have less land than you have?—No, I am not aware of that.

635. You are a governor, are you not?—Yes.

636. I want to get at the finance and the management of the asylum. Take the gross cost of the asylum in any year; how is it discharged, First, I suppose, by the Government?—Yes.

637. They pay 4s. per week per head, do they not?—Yes. I am not very well up in the finance; I have only been a governor since the 1st of January.

638. The Government, I understand, pay 4s. per week per head?—Yes.

639. How is the balance divided between the different authorities, namely, the Corporation of Belfast and the Grand Jury of Antrim?—We pay half each; it is divided equally.

640. Would not the charge against the city be in proportion to the number of patients committed from the city?—No; I believe it is equally divided.

641. The population of the city is about equal to the population of the county, is it not?—Yes; it is about equal, or rather I think it is a little more.

642. Is not the city more likely to increase than the county?—Yes, I should think it is.

643. If under the present system the city pays for half of the patients, do you not see that if you have a separate asylum and the population of the city increases more rapidly than the population of the county, you would have a heavier charge in a separate asylum than if you had a joint management?—There is no doubt of that; but of course the county of Antrim could not stand that long.

644. They might stand it for a while?—For my part I would rather we had been left as we were for some years, but this could not be.

645. Have you observed the conclusion to which Mr. Owen, the architect of the Board of Works, came in his report of March 1890: "I would suggest that the district should be considered as one for financial purposes until both the new and old asylums were complete and in working order,

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Mr. DIXON.

[Continued.]

Mr. Sexton—continued.

and that then the separation should take place"?—I should not like that. The county of Antrim, I think, should now build their own asylum to suit the county.

646. If your scheme be carried out, will not the Corporation of Belfast have the nomination of the majority of the governors?—No, I think not. The Lord Lieutenant is to have the nomination of all the governors I understand.

647. Let us understand the practice. The practice in the matter is that the local contributory body nominates or recommends certain persons who are appointed by the Lord Lieutenant?—That is so.

648. That will be the system if Clause 4 is struck out. At present of the twenty-two governors of the Belfast Asylum twelve are nominated by local contributory bodies and ten by the Lord Lieutenant?—Yes.

649. By parity if your scheme is carried, and the City Asylum has twenty-two governors, will not the Corporation appoint twelve and the Lord Lieutenant ten?—We are quite willing to leave it all to the Lord Lieutenant.

650. I do not think you follow me. You asked in the Bill to nominate twelve out of eighteen; but that is abandoned, and you allow the ordinary system to prevail with regard to Belfast. Are you not aware that the ordinary system is that the local contributory body recommends a number of governors bearing the same proportion to the total number of governors as its contribution bears to the total cost of the asylum?—I believe that is the system.

651. The Corporation of Belfast would contribute more than the Government would, and they would nominate twelve out of the twenty-two members of the board?—Yes.

652. So that, notwithstanding the abandonment of Clause 4, the Corporation, which is exclusively Protestant, would nominate a considerable majority of the board?—Not when I joined the Corporation.

653. But if your Bill is carried, even when Clause 4 is struck out, that would be the result, would it not?—Yes, it might be so. So far as I am concerned, I should be very glad to see some Roman Catholics on the Corporation.

654. I am sure you would, and I conceive that it would be to the credit and advantage of Belfast if there were some Catholics on the Corporation?—It is the Roman Catholics' own fault if they are not on.

655. That I cannot admit, because the Corporation have opposed bitterly every attempt that we have made to put them on?—Mr. McCalmont and Mr. Hood were members of the Corporation, and I am quite sure that if their sons had stood they would have got in, but they would not stand. Some respectable Roman Catholics, I am sure, would get in.

656. You would like to select the Catholics?—No, I would not. It is according to what the Roman Catholics are whether they get it or not.

657. Would you like to see the Corporation nominate some Roman Catholics to be governors of the asylum?—We only nominate out of our own body.

658. But in practice you have the right to nominate whom you please, have you not?—I do

Mr. Sexton—continued.

not think we should go out of our body to nominate; but we leave it in the hands of the Lord Lieutenant to nominate, and we are satisfied with his nomination.

659. The Lord Lieutenant appoints certain persons himself, does he not?—Yes.

660. And he appoints others upon the recommendation of the Corporation?—Yes.

661. Has it been the practice of the Lord Lieutenant to take whatever men you send him?—I never heard it.

662. Should you have any objection to insert in the Bill a provision binding the Corporation to nominate any proportion of Catholics whatever?—I would certainly, so far as I am personally concerned; I think it would not be fair.

663. Although the Catholics have such ground for apprehension, as we have shown in the return of your nominees, only two out of thirty-two occupying important posts?—I do not know that we have only two Roman Catholics.

664. You admit that those who do know it may well have some apprehension excited by the fact?—So far as taking patients is concerned, I do not see how that could affect the asylum.

665. It would affect the probability of the introduction of a Catholic element upon the governing body at the instance of the Corporation. Should you have any objection to a provision being inserted in the Bill directing the Lord Lieutenant on his part to nominate a certain number of Roman Catholic governors?—I certainly would object to that; I think it would not be fair. If the Lord Lieutenant wishes to do it of course that is another matter.

666. But you object to giving the 70,000 Roman Catholics any representation upon your own body?—Let them try to get into the Corporation as we do; we have to fight our battle to get in; and I will not say that I will guarantee, but I am quite sure that they will get in if they are proper persons.

667. Would you be willing to split the city into ten or fifteen wards so that they may have a chance of getting in?—They will have a chance without it.

668. I was not aware of it?—There are only one or two Roman Catholics that have ever tried to get in in my time.

669. I suppose the experience of those who tried was not encouraging?—I do not know. I am quite sure that if some Roman Catholics stand they will get in, and it is their own fault if they do not.

670. You would like one or two show Catholics on?—Not show Catholics, respectable Catholics; I do not call them show Catholics. I am quite sure that Dr. Cumming, or gentlemen of that stamp, might be returned.

Mr. Arthur Elliot.

671. But does it affect the management of the asylum whether the governors or any of them are Roman Catholics?—Not the least.

Mr. Sexton.

672. It is considered by Roman Catholics an important matter that there should be a proportion of Catholic attendants, and besides that there is there is the question of the appointment of

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Mr. DIXON.

[Continued.]

Mr. Sexton—continued.

of Catholic chaplains. You know that a Royal Commission many years ago recommended a re-partition of the wards of Belfast?—I remember it—673. And the five wards of this great city, as constituted now, have existed ever since the population was only about 100,000?—Yes.

674. Do you not think that a repartition of these wards would be reasonable now, if for nothing else but their size?—We are thinking of extending the boundaries of the city, and in a year or so no doubt some change of that kind will be made. We have now proposed in the same committee to extend the boundaries of the city, and when that is done that will be the time to re-arrange the wards.

675. A good time to do any useful thing is when it can be done, is it not?—I do not know that in a Bill of this kind a re-arrangement of the wards could be effected.

676. I want to ask you about the way in which this is to be worked with reference to the rates of the city. You will have to extend the City Asylum anyhow, will you not?—We shall have to put up lavatories and accommodation of that kind.

677. Are you aware that Mr. Owen in his report says that even if the separation were effected you would still have to make improvements and extensions in the City Asylum at a cost of 18,000 l.?—Yes.

678. If you continue the combined management that charge would fall upon the whole city and county, would it not?—Yes.

679. Now the whole would fall upon the city?—Certainly.

680. Besides that, you have to pay to the county what you call their proportion of the value of the site and buildings of the present asylum, have you not?—Yes.

681. How much will that be?—£. 27,500.

682. Upon what basis was that ascertained?—A committee of the Grand Jury and a committee of the Corporation settled what they thought it was worth. They wanted more, of course, but we made the best bargain that we could.

Chairman.

683. I suppose it was estimated at half the whole value?—The whole value was estimated at 55,000 l.

Mr. Sexton.

684. You will have to expend, in consequence of your scheme, 18,000 l. upon the extension of the present asylum, and 27,500 l. upon paying to the county their proportion of its value?—Yes.

685. And that charge of 45,000 l. would fall entirely upon the city, would it not?—It would.

686. But it would not fall entirely upon the city if the combined management were continued?—No doubt it would be much better if the asylum would serve both purposes. It is one of the conditions of the increase of population.

687. But a heavy charge is thrown upon the city by your scheme which would not otherwise be thrown upon it?—There is no doubt of that.

688. Supposing that you carry this Bill, how long do you think it will be before the county has an asylum?—I suppose it will be two years.

228.

Mr. Sexton—continued.

689. It will be at least two years, will it not, before the asylum at Holywell is ready?—It can be built in two years, I think. The have the ground all taken, and they are all ready to go on.

690. Building is a slow process, you know?—But the ground is taken.

691. From the present time until the new asylum is ready for occupation, what is to be the course with reference to the insane from the county Antrim?—We shall continue doing the same as we are doing now, I understand.

692. That is to say, that the insane from county Antrim will be sent into your asylum in Belfast?—Yes.

693. And the Grand Jury of Antrim will be expected to pay you for the inmates of an institution which is entirely under the control of the city and upon the governing body of which the Grand Jury themselves have no representatives?—I am not sure when the Act takes effect, but I thought there would be governors for some time yet from the county Antrim.

694. Did they not sit for a year only?—Yes.

695. If you carry your Bill the Corporation will nominate twelve and the Government ten, so that there is no security that the Grand Jury of Antrim will have any seats on your Board; and you propose that for whatever period may elapse, two or three years, until the Holywell Asylum is completed, the Antrim inmates shall be sent into the Belfast Asylum which is practically under the control of the Corporation, and the Grand Jury will have to pay you for keeping up an institution over which they have no control?—The Grand Jury are quite satisfied with that. They have every confidence that the Corporation will do what is right.

696. We have resolutions from them of various dates, and also a petition in which they declare that the combined management is best?—I think it was to make a better bargain that they petitioned. We did not want to give them so much money as we did give them as a matter of arrangement.

697. Even after the new asylum is built, you propose, do you not, that the two asylums shall be used for the interchange of patients?—No.

698. Have you read the Bill?—Yes. If we have too many patients, of course we can send them there.

699. It is provided that, if the other Board have no accommodation, you refer to the Board of Control?—Yes.

700. And then, if you differ about the money, you ask the Lord Lieutenant to appoint an arbitrator?—Yes; but the present asylum will take far more than we want for the next 20 years.

701. The asylum at Holywell may not take more?—The Board of Control will make the county Antrim build a proper asylum.

702. Does it not occur to you that, having two houses intended for the interchange of patients governed by district boards who have in the case of a dispute to refer to the Board of Control to ask the Lord Lieutenant to appoint an arbitrator, is very cumbersome and costly compared with the facility with which the two could be governed

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Mr. Dixon.

[Continued.]

Mr. Sexton—continued.

governed by one board?—It only means that if we were full and had too many patients in the City Asylum, we could send them to the Antrim Asylum if they had room.

793. Either of those contingencies may arise very soon?—Not for 20 years, any way, and it may be 30 or 40 years.

794. At any rate, whenever it occurs that having two boards independent of each other, and having to refer to a third party to settle disputes, is more cumbersome than having one board, is it not?—You might take all that out, so far as we are concerned. We think it better to have it in, but I do not see what that has to do with it.

795. Now about the schools; I should like to ask you two or three questions: You have been asked by the learned counsel whether the Corporation would like to see the Roman Catholic children brought up as rogues; that is hardly the point; our point is, that you may, no doubt, commit both Roman Catholic and Protestant children, but that you may pass a resolution, for instance, that you will only pay one school 1s. 6d. a week while you pay another 2s. ?—I am quite sure that the Corporation would never do that.

796. Will you insert a provision that there shall be no differential rate allowed?—I would not agree to that. There is no fear of our treating Roman Catholic children worse than Protestants.

797. Remember that you are an exclusively Protestant body, and remember how you have treated the Catholics in the matter of employment?—I know I have always treated the Catholics as well as the Protestants; I have as many Catholics about my self as Protestants.

798. I am very glad to hear that you have such a liberal spirit; but I am speaking of the action of the Corporation, and I am speaking of their employes; they have not employed any Roman Catholics; why should you object to the very limited protection that I ask, namely, that the Corporation should agree either to continue to give the same rates that the grand juries of Antrim and Down have given for the schools, or should, at least, agree that where they contribute at all they should make no differential rate?—We have more confidence in the grand jury than in an elected board.

799. Because the grand jury justifies it?—I am very glad to hear that you have such confidence in the grand jury; I thought that the grand jury was to be swept away.

799. I have confidence in those two grand juries in this particular matter?—So you may have. I happen to be in both.

799. I am asking if you will give us the same reason for confidence by agreeing to do what they have done?—You may have just the same confidence in the Corporation, so far as that goes, as you have in the grand juries of Antrim and Down.

799. Notwithstanding the reasons which we think we have for asking it, you refuse to give us any such guarantee by provision in the Bill?—Yes, because I think it is not necessary.

799. You refuse that the commitment should

Mr. Sexton—continued.

be by stipendiaries?—Either by the stipendiary or by a borough magistrate; I think that the Roman Catholics have as much confidence in the borough magistrates as in a stipendiary, if not more; I always understood so.

799. At any rate, your position is that you are entitled to plenary confidence?—So far as regards Roman Catholic children, I certainly say so.

Mr. Arthur Elliot.

799. Are the borough magistrates all Protestants?—No.

799. I want to ask one or two questions about this county business. I do not want to forget altogether the interests of the patients in these asylums. In your experience as a governor, does it make any difference to the patients in these asylums whether the governors are Roman Catholics or Protestants?—None whatever; I never heard such a thing mentioned.

799. Has it been supposed and alleged at Belfast that the governors in the management of the asylums have shown any Protestant unfairness?—I have never heard of it.

799. As to the industrial schools, I certainly gather from what fell from the honourable Member, that at all events it would be in the power of the Corporation to show considerable prejudice in the treatment of Protestant and Roman Catholic schools?—It would to a certain extent.

799. Then your only objection to put in such a clause as he suggests would be that it is not required?—That it is not required.

Mr. Knox.

799. How do you arrive at your conclusion that the Belfast Asylum, if enlarged, is likely to meet the needs of Belfast for 30 years?—I think it holds about 550 patients; I have not the figures exactly.

799. As enlarged?—And I think we have only about 530.

Mr. J. D. Fitzgerald.] Three hundred and sixty-three is the exact number. I do not know what report you have before you, Sir, but I will call the resident medical superintendent, who will give the exact number; and I think 363 is the existing number.

Mr. Knox.

799. (To the Witness.) Belfast is, of course, increasing very rapidly, and we cannot expect it to have a smaller proportion of insane than other places?—The asylum will do for 25 or 30 years any way, taking the increase that we have. You will get that from some other witness.

799. It would be interesting if we could have from somebody the figures as to what the increase has been and might be expected to be for the future. From whom was the land at Holywell bought?—I think from a Mr. McNeill.

799. From Mr. McNeill, the secretary to the grand jury?—No; he is on the Grand Jury, but he is not the secretary. I think he was only agent for the property. I do not remember all the particulars. I was not a governor when it was bought.

799. What

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MR. DIXON.

[Continued.]

Mr. Knox—continued.

725. What was the purchase money?—Five thousand pounds I think.

726. How many acres are there?—One hundred and ten or 120.

727. It was a very liberal price, then?—That is for the County Antrim to consider; we had nothing to do with it.

728. You were one of the governors subsequently?—I am one of the governors since, but I was not a governor when that was bought.

Mr. Hatches.

729. I understand that the purchase of the land at Holywell has received the sanction of the Board of Control?—It has.

730. And in your opinion in about two years from the time of the passing of the Bill the new asylum will be built?—Yes.

731. And the Grand Jury of Antrim are willing to forego representation upon the Board of Governors pending the completion of that new arrangement?—Yes, that is so.

Sir Edward Harland.

732. With reference to the question about 60 years being required for the repayment of loans under this Bill, you are a Belfast Harbour Commissioner, I believe?—Yes.

733. Are you aware that in the year 1882 a Bill was passed empowering them to borrow a million under a similar arrangement for 60 years?—I believe so, but I was not a member then.

734. Are you aware that 300,000 *l.* only was raised?—Yes.

735. So that, as far as the 60 years is concerned, there would be nothing exceptional in seeking those terms by this Bill as compared with the terms which have been granted to another corporate body in Belfast?—No, there would not.

736. During the time that you have acted as a magistrate in Belfast have you known any instance whatever in cases coming before the Bench or in matters coming before the Corporation with regard to the employés, or cases of appeal to the court in which you have had the slightest reason to believe that there has been an injustice done to anyone so seeking redress by reason of his being a Roman Catholic?—None whatever.

737. So that you feel that it would be a slight to introduce into this Bill any particular protection for Roman Catholics as such any more than to introduce a protection for the Methodists or the Quakers or the members of any other denomination?—Certainly.

Mr. T. W. Russell.

738. How many wards are there in the City of Belfast?—Five.

739. What is the suffrage?—I think it is 4 *l.*

740. Have not you household suffrage?—Yes.

741. Have not you had a contest, Protestants fighting against Protestants?—Yes.

742. The Catholics even under these circumstances did not attempt to get a seat?—No; once or twice the Roman Catholics did attempt to get a seat.

228.

Mr. T. W. Russell—continued.

743. Even with contests going on between Conservatives and Liberal Unionists, as you had last time, have the Roman Catholics made any attempt to get a representation upon any of these wards?—No, they have not.

744. Has the Corporation any power, if they desire to get in, to keep them out?—None whatever.

745. Have they any desire to keep them out?—None. Many members of the Roman Catholic body are members of the Corporation.

746. The plain truth is that with household suffrage in the borough of Belfast, the reason why there is no Catholic representation is that, first of all, they do not seek it, and in the second place, if they did seek it, the probability is that they would not be strong enough to secure it?—Not unless they were very good men.

Mr. Sexton.

747. Not in the present wards?—No.

Mr. T. W. Russell.

748. Now a question as to the industrial schools. You stated in reply to Mr. Sexton that you object to alter the law regarding the commitment of these children for the Borough of Belfast?—Yes.

749. You desire the law to remain as it is in Belfast and in every other Irish city?—Certainly.

750. You consider that it would be a reflection upon Belfast if it was altered for Belfast alone in this direction?—I do.

751. And if the Corporation consented to it they would practically be passing a reflection upon themselves?—Yes, they would.

Chairman.

752. What is the estimated cost of the new asylum?—I do not know. I am told by the County Antrim gentlemen that they are going to build it.

753. You do not know?—No.

Mr. Sexton.

754. You said 55,000 *l.*?—That is what we paid for the old asylum.

Chairman.

755. That is the old asylum; you have wards in the new asylum?—Yes.

Mr. Sexton.

756. You said you paid 27,000 *l.* for a portion of the old asylum upon the assumption that the whole was 55,000 *l.*?—Yes.

Chairman.

757. What is the estimate for the new asylum?—I heard 60,000 *l.*

Mr. Sexton.

758. One question about the stock. Sir Edward Harland asked you if the Harbour Board had a term of years for their loans; is there any precedent for Parliament granting a public body the same term of years for the redemption of a variety of loans without reference to the duration of the purpose for which

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Mr. DIXON.

[Continued.]

Mr. Sexton—continued.

any particular loan is raised?—No; I cannot say.

Mr. Hickey.

759. With regard to the answer you have just given respecting the management of the industrial schools, the alteration proposed by this Bill will make the management in Belfast the same as it is in other cities in Ireland?—Yes; three others, Dublin, Cork, and Limerick.

760. And it now differs?—It differs now.

Mr. Fitzgerald.

761. Neither in the case of the other three

Mr. Fitzgerald—continued.

cities of Ireland, nor in the case of any grand jury, is there a clause such as has been suggested?—No.

762. The rateable value of Belfast I believe is 726,000 £?—Yes.

763. While your existing debt is 873,000 £?—Yes.

764. Against that debt are the Corporation the owners of the gasworks?—Yes; they cost 200,000 £.

765. And they are owners of other property as well?—Yes.

The Witness withdrew.

Mr. CHARLES C. CONNOR was called in; and, having been sworn, was Examined, as follows:

Mr. J. D. Fitzgerald.

766. You are a member of the Corporation of Belfast?—Yes.

767. You were mayor last year?—Yes.

768. And also the two previous years?—Yes.

769. Are you also a magistrate?—Yes.

770. And a governor of the Belfast Asylum?—Yes.

771. How long have you been a governor of the Belfast Asylum?—I first took office as governor when I became mayor of the city.

772. Nearly four years ago?—Three-and-a-half years.

773. I need not take you in detail through the matters proved; do you agree with the evidence as to the asylum and the proposals in the Bill, which have been given by the previous witnesses?—Yes, generally.

774. We have heard that the Corporation in nominating governors to the Lord Lieutenant generally nominate from their own body?—They do so as a rule.

775. And the Grand Jury likewise?—They do.

776. How many Roman Catholic governors are there upon the Board?—I think three.

777. Are those all nominated by the Lord Lieutenant?—I think so.

778. Assuming the Bill to be passed, would the Lord Lieutenant be able to renominate those three governors and any further Roman Catholic governors he might think desirable?—I think so.

779. So that even if the Corporation nominated half the whole body of governors from members of the Corporation, the Roman Catholics would be in precisely the same position as they are in at present?—So far as I can see.

780. With the addition to the existing asylum which you now contemplate, will it be sufficient for Belfast a number of years?—I think certainly for the next 20 years.

781. Assuming there are to be these two asylums, one at Belfast and the other at Holywell, would there be any economy in joint management?—I think rather the reverse.

782. You are a representative man from Belfast, and have been mayor three years; is there any real foundation for the suggestion that the Corporation would behave unfairly to

Mr. J. D. Fitzgerald—continued.

the Roman Catholics about industrial schools?—I do not think so. I do not think that is to be dreaded.

783. During the time that you have been a governor of the Belfast Asylum has there been any complaint of any unfair treatment with regard to the Roman Catholics?—Not to my knowledge.

Mr. Sexton.

784. I wish to call attention to the evidence already before the Committee upon the question of greater economy by joint management. I will first refer you to the resolution of the Grand Jury at the Spring Assizes 1891, where it is said: "The Grand Jury are of opinion that the administration of the laws relating to lunatics could be more economically carried out by continuing the connection between the city and the county;" and the Board of Governors, of which you are a member, on the 14th December last, in the last resolution which they passed upon the subject declared, two of the Corporation governors dissenting: "That the joint management of the Belfast and Holywell Asylums would result in advantage to the patients and economy of the public funds, and that separation should be postponed until both asylums are in working order, as urged by Mr. Owen in his Report, 19th March 1890, and only considered when the joint management has had a fair trial." What objection do you make to giving the system of joint management a fair trial?—I think they are mistaken with regard to the economical advantages to be gained by joint management. I do not think that supplies would be so cheaply obtained at Holywell as they would be in Belfast, and the officers of the asylums would have to be duplicated to such an extent that not only would there not be any economy in joint management but it might be actually cheaper to have them separated. As to the advantage to the patients, I have great respect for the opinion of Dr. Cumming, who is on the board of governors.

785. The only medical man on it, I believe?—At present I think so, and I am told that he thinks it would be advisable that a certain class of patients should be transferred to the country for treatment.

786. Upon

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MR. CONNOR.

[Continued.]

Mr. Sexton—continued.

785. Upon that ground do you differ from the opinion of, first, the grand jury of Antrim; secondly, the board of governors; and, thirdly, the several petitioners; the grand jury being one body, the Roman Catholic inhabitants another, and certain inhabitants and co-sponsors of the city and county another, all of whom have declared in very strong terms that they conceived that economy could be served by joint management?—I do.

787. Does it not occur to you that if you divide 800,000*l.* between two houses under separate management and have separate contracts for every article required that necessarily more expense would be incurred in the management of the institutions, than if they were under common management, where contracts could be taken for all the supplies required?—As I have already said, in many cases it would cost more to have supplies delivered at Holywell than at Belfast.

788. You do not think (that is comparatively a slight matter) the transport would be more than counterbalanced by the greater cheapness of larger contracts?—I do not think the size of the contracts in the respective cases would be of sufficient magnitude to influence the price.

789. The cost of advertising would be doubled; you would have two advertisements, one for each asylum, for every one that you have at present?—That would be true under separate management, but advertisement is a very small matter.

790. It is worth a considerable sum. You pay your resident medical superintendent 800*l.* a year?—He has 825*l.*

791. And there is an assistant medical man?—Yes, there is.

792. Considering that those two places are only, I think, 15 miles apart, and they may be reached by rail or road in an hour, do you think if you had the two asylums under one board that one doctor of the class to whom you pay 800*l.* would be sufficient, and the remainder of the medical service might be done by a less expensive practitioner, whereas if the two asylums are separated you will have two medical superintendents of the class of this gentleman to whom you pay 825*l.* a year?—That is more a matter for medical experts, for the Belfast Corporation, then for me as a layman; but I am told that it would be necessary to have properly qualified medical superintendents in both places.

793. Very much of the character of Dr. Merrick of Belfast?—Yes.

794. There would certainly need to be two secretaries, one at each place?—Yes, and two clerks.

795. In the case of combined management, a subordinate clerk and a secretary would do for the two?—I do not think so. I do not think that one clerk would do.

796. One secretary and one clerk would do, would it not, for the two?—I cannot see much difference between having a secretary and a clerk and having two clerks.

797. There might be several hundred pounds a year difference in money?—No. The present clerk has 120*l.* a year, and the other one would have less.

Mr. Sexton—continued.

798. With regard to the general staff, if the two houses are entirely separated and under distinct management, does not it occur to you that it will necessitate a larger general staff of attendants, or whatever you call them; warders, for the management of the two bodies, separately in government than if the two asylums were joined; being so near each other, would not it be possible to interchange the staff so as to manage more economically?—That is a matter for the medical men; but my impression is that the number of warders is regulated by the number of patients; so that you simply divide up the warders in the same way as the patients between the two asylums.

799. Was the leading motive in determining to build a second asylum that there would be an advantage in being able to transfer the patients of a particular class, or at a particular stage of the disease from town to country and having a change of scene?—I do not think so. I think the leading motive originally was that it was found that the accommodation in Belfast was insufficient for both the city and the county.

800. You observe that everywhere else, except in Belfast, where the accommodation has been inefficient, there are many asylums where the number of inmates is far more in excess of the limits of accommodation than in Belfast, and they meet the case by extending the buildings; it is only in Belfast that they propose to erect a new one?—That is largely governed by the space of ground at their disposal. In the case of Belfast they have, as you have been told, some 54 acres at their disposal, and the Board of Control do not favour more than 10 patients to each acre of land; so that we shall be limited in accommodation to about 540 or 550 patients, or something of that kind.

801. In Mr. Owen's Report he says: "The idea of arranging for an asylum for the Belfast City District from Antrim County is one which has not yet been formed, because it is not one of the alternative schemes submitted by the Board of Works to the Governors." So that really in Dublin the outside people appear to have rather thought that the case should be met by an extension of the building in Belfast. Do not you think if there be any advantage in the interchange of patients between the city and the county that it would be rather minimised, if not wholly lost, by dividing the government between the two?—No, I think not. I cannot see how it would affect it; the two being under qualified management.

802. I suggest to you that the Board having control over the two houses, could limit and use its discretion with regard to the transfer of patients from one to the other, but if you had two asylums independent of each other, and not disposed to agree, the transfer of patients would be slow, doubtful, and cumbersome, and not so convenient?—It may be so.

803. You agree that under the new scheme the co-operation would probably nominate a majority of the governors of the new asylum?—Yes.

804. So that practically, so far as the Catholics for whom I am speaking are concerned, although there is a large proportion of the inhabitants of the city who are inmates of the asylum, one-third or one-fourth of the inmates of the asylum, would

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MR. CONNOR.

[Continued.]

Mr. Sexton—continued.

would have to submit to government by a body of constituents, the majority of whom are wholly in the dominion of the corporation?—For the time being, so long as the existing circumstances remain.

805. So far as we see for the future, unless provision is made, have you the same objection that other witnesses have to any protection being given in the Bill by a direction that the corporation should nominate some Roman Catholics, or that the Lord Lieutenant should nominate them, not leaving it entirely to the discretion of either the local body or an individual who might be Viceroy at any moment?—My objection is that I object to any special legal enactment by Parliament which is not in force in other places.

806. In the three other places in which the corporations have this power which you seek, the municipal bodies, the corporations actually do contain a larger proportion of Protestants than is contained in the population; in Cork, Limerick, and Dublin there are more Protestants in the councils than in proportion to the population?—That is so, in some cases.

807. In the three cases in which they have this power, therefore, you admit the occasion which we press upon you for giving protection, does not arise in the other three cities?—I hope, in future, the Catholics will be represented in the corporation.

808. I am sure you do. Meanwhile some of us think that the council might anticipate that by giving us a guarantee?—We do not like to be forced into these things.

809. I admit it is not pleasant. Would you be willing to do anything for the schools; to say that either the stipendiaries should commit or that one stipendiary should be upon the bench, or that you would make no distinction between Protestant and Catholic children in the Protestant and Catholic schools; would you be willing to come under any obligation in the Bill to do that?—I do not see any necessity for altering the present conditions so far as commitment is concerned. I think commitment by two justices is good enough. As regards the contributions, I do not apprehend any injustice being done.

810. I beg you to look at the local conditions in Belfast; you have a corporation of 40 members with no Catholics, and you have a water commission with a board of 16 members with one Catholic; an Asylum Board of 22 with three Catholics; the Board of Works by favour of the Lord Lieutenant, and not by any local nomination; a Board of Guardians of 44 members with the only Catholic, an *ex officio* who could not be left out, and a bench of magistrates of 87 members, with only nine Catholics, who are, of course, put on by the Lord Lieutenant. Then looking at the employees of the corporation, two Catholics; not a single Catholic employed on the Harbour Board; not one in the employment of the Harbour Commissioners; out of 41 nurses in the workhouse, with one-fourth of the inmates Catholics, only one Catholic in 41?—If you ask me as to the employees of the corporation, I could not tell you.

811. But in the case of such a system of social outlawing, do you think it unreasonable

Mr. Sexton—continued.

to ask that this large body of persons of whom I speak should be afforded some protection in the Bill by which you ask fresh powers with regard to them?—I think it would be more reasonable for the Corporation of Belfast to make efforts to obtain representation upon these bodies.

812. There is no way except by altering the wards, and the Chairman will not allow us to go into that?—If they came forward under somewhat different circumstances than exist at present there would be no difficulty; but there are certain political reasons why even moderate Protestants and Catholics of certain politics should be kept apart at the present moment.

813. There is nothing to prevent a man getting up in the Corporation of Belfast and saying these convents are institutions that ought to be inspected or put down, and that the corporation should not pay any more money to them, or from moving a resolution that you would pay for Protestant schools and not Roman Catholic schools, and pay no more to the Catholic monasteries; there is nothing to prevent the corporation passing such resolutions?—There is nothing to prevent a competent person getting up and making the observation, but he would not be listened to.

814. Hot-headed acts are not entirely unknown in Belfast, are they?—No.

Mr. T. W. Russell.

815. Has the Belfast Corporation every interfered with political matters as a Corporation?—No.

Mr. Knox.

816. Did the Corporation prepare an address for presentation to Mr. Balfour upon his appointment?—Yes.

817. Is that political?—I never saw the address.

818. If such an address were prepared it would be a political act?—Well, in Belfast we look upon certain matters as within the range of ordinary politics, and I speak of ordinary politics when I say the Corporation never interfere.

819. You looked upon Mr. Balfour's visit as not being a political matter in the ordinary sense?—Being one of Her Majesty's ministers.

820. Would you receive Mr. Morley when he was one of Her Majesty's ministers with the same sort of address?—I do not think we would; perhaps we should have great respect for him.

821. Can you suggest how the Catholics of Belfast, under the present system, are to obtain representation?—I think if they brought forward men of influence belonging to their body, under ordinary circumstances, they would be supported not only by their own body, but by the Protestants too.

822. Under the present circumstances that is what we have to deal with?—To speak plainly, I do not think a Nationalist Catholic would be cordially received by the Protestants of Belfast.

823. He would not have any chance of return?—No.

824. Do you know any Catholic Unionists in Belfast?—

825. Do

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[Continued.]

Mr. T. W. Russell.

825. Do you know Mr. Arthur Hamel?—Yes.

Mr. KNOX.

826. Is he a Catholic Unionist?—I do not know his politics, but he is a very moderate man.

827. You, of your own recollection, could not have a doubt that there is not a numerous body of Catholic Unionists in Belfast?—No.

828. Practically the whole body of Catholics are excluded from representation?—My impression is that they are almost.

829. If there are Catholic Unionists the Unionist Association do not choose them and bring them out as candidates in the municipal contests?—I have no knowledge of anything of that kind.

830. Are you a member of the Belfast Conservative Association?—I am, and one of the Vice-Presidents of it.

831. They choose candidates upon municipal elections, do they not?—They do.

832. Have they ever chosen a Catholic candidate?—I could not answer that question. I do not think they have.

833. To your knowledge?—I do not think they have.

834. Perhaps you are aware that many of the Protestants who have been elected in the other cities, Cork, Dublin, and Limerick, have been chosen by the Nationalist Association in those towns as candidates?—I do not know it; but it is very creditable to them if they were.

835. You cannot point to any similar creditable act in the history of Belfast?—No.

836. As to the accommodation in the workhouse, there are 360 lunatics of Belfast in the asylum?—About that.

837. How many insane persons are there in the workhouse of Belfast?—That I could not tell you.

838. A large number?—Naturally.

839. You heard the opinion expressed that many of those persons ought to be in the asylum?—Yes.

840. But of course there is not accommodation now for them?—No.

841. It is practically impossible, is it not, to enlarge the present asylum, as you say, so as to hold a considerable number more patients?—It is proposed rather to extend it.

842. You will take these figures as correct, that the number of insane in the Belfast Workhouse amount to 147 males and 260 females; these figures are from the Government Report. That is a larger number, therefore, than the number of Belfast lunatics who are in the asylum?—No, you proposed to transfer them to the lunatic asylum.

843. But a large number of them?—No, not a large number. I am told there is some employment for harmless people about the workhouse, even though they should be insane.

844. Have you examined the figures as to the increase in the number of patients in the County Antrim and in Belfast during the present year?—I have not examined the figures, but I think they closely correspond with the increase in the population at the rate of about three per 1,000.

Mr. KNOX—continued.

845. The population of County Antrim has not been increasing?—Apparently pretty steady.

846. Decreasing?—It is decreasing.

847. So that in Belfast it has been increasing, but in Antrim it has been decreasing?—Apparently.

848. According to the Government Reports, the increase in the number of lunatics under the care of the county, including the city, has been 200 in the last 10 years?—I suppose so; it is not within my knowledge.

849. Have you any reason to suppose that that increase is due in a large measure to the County Antrim; is it not mainly due to the City of Belfast?—Yes, wherever an increasing population is there will be an increase of lunacy.

850. Do you suppose that that increase is likely to be less for the future?—No. I would conclude that the same rule would hold good in future as well as in the past, that as the population increases you must have more lunatics, on the scale of three to the 1,000.

851. So that if there was an increase of 200 in the number of Belfast lunatics in the next 10 years, at the conclusion of that period, without making any provision for the transfer of the insane from the workhouse, the Belfast Asylum would be overcrowded again?—We all hope that that will be the case, because the population of Belfast will be very large upon that understanding, and always well able to afford to deal with asylum matters.

852. In 10 years?—Yes. If the population of Belfast would be so large, increasing at the rate that I speak of, and the number of lunatics would be increased by 200, it would represent a very large population in Belfast.

853. Suppose that it did increase in that proportion, on the basis of past experience, which I have anticipated, would it not then become necessary to have an asylum outside Belfast and distinct from the present asylum of Belfast?—I cannot answer that question. I have great respect for the medical opinion of Dr. Cumming, and I am aware that he thinks, along with others, that as the progress of civilization goes on we shall probably treat the lunatics differently, but speaking for the present and looking forward from what we know, I think the present accommodation will be sufficient at Belfast for the next 20 years.

854. If the asylum were full you admit that you could not extend the present asylum upon its present site to any large extent?—I do not think the Board of Control would allow us to do it.

855. Therefore it would be necessary to have another asylum outside Belfast?—Not necessarily outside Belfast.

856. You cannot get a large amount of land in the centre of Belfast or near Belfast?—Yes, I think so.

857. At a cheap rate, surely not?—Not very very close to Belfast, but there are many reasons why we should have the asylum in Belfast; it must necessarily be managed by Belfast people, and they will not go a very great distance from town.

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858. Suppose

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[Continued.]

Mr. Keir—continued.

858. Suppose that were so, you would then have three asylums in the county and the town of Belfast?—That is quite possible in future; for the present I have given the medical reasons.

859. The Antim people would be capable of indefinite extension, the Holywell site?—There is a large amount of land there.

860. Have you compared the amount of land attached to the Belfast Asylum with that attached to the Down Asylum?—I have not; I cannot tell you how much. I think upwards of 100 acres.

861. Take it at 110 acres; that is opposed to 55?—Yes.

862. Do you know that the proportion of land attached to the Down Asylum is very much less than the proportion usually attached to asylums for the same number of patients in England and Scotland?—No, I do not know, as a matter of fact, but I am told by competent authorities that 10 acres is enough land for each 10 patients.

863. You do not know what the cost of the Antim Asylum will be; you cannot give any estimate?—I have heard from 120 £ a bed up to 160 £ and 170 £ a bed.

864. What has been the cost of the land?—I cannot tell you quite; I think 3,000 £.

865. Were you a member of the board of governors at the time it was bought?—I was a member of the board of governors at the time it was bought, but I did not interest myself much in it. I looked upon it as more a matter concerning the county than the City of Belfast.

866. Do you know of whom it was bought?—I do not know.

867. As to the industrial school's point; when the question of committing to an industrial school comes before the magistrates, is it not usually presented in this form, that they have the alternative to send the child to the workhouse school or to an industrial school; they can send a child to the workhouse school if they like?—I believe that is the ordinary form. It is in the discretion of the justices.

868. Do you frequently attend upon the bench?—No, I do not.

869. Do you know, as a matter of repute, that it is the fact that in many cases the child is sent to the workhouse school against the protest of those interested in its welfare?—No, I do not know that.

Mr. Hincks.

870. The parents are consulted as to the school to which the child shall be sent, is not that the case?—So far as my knowledge goes, the justices ascertain the history of the child, the religious persuasion of its parents, and so forth, and the proceeding is based upon that.

871. The industrial schools are all under Government inspection, are they not?—Yes.

872. Even those held and managed by the convents or religious bodies?—I do not think they are exceptions, but I do not know positively.

Mr. J. D. Fitzgerald.] There must be a certificate under the Act; the child

would be sent to an industrial school until they have received a certificate from the Government.

Sir Edward Harland.

873. Many of the questions which have been put to you by Mr. Sexton would lead one, certainly a stranger, but even myself, if I were not thoroughly acquainted with the subject, to imagine that there was some mysterious overpowering fate interfering with the Roman Catholics in Belfast asserting their position so as to be able to demand, I may almost say, a place amongst their fellows on the corporation; are you aware of there being any such obstacle in their way?—No, none at all.

874. Regarding the Protestants in the south and west of Ireland, to which Mr. Sexton also referred when putting to you the question how it was that in the south and west of Ireland the Catholics allowed Protestants to have seats upon the general Board, would it be accounted for by reason of the Protestants in that part of Ireland holding or having earned for themselves a higher position in society or pecuniarily, so as to bring them forward as deserving of support?—I could not answer that question.

875. Do you think, if the Roman Catholics in Belfast were to act as independently and with the same spirit of enterprise as the Protestants in that part of Ireland, that that might lead them to be able to be voted on to a seat in the corporation?—I think, under ordinary circumstances, there is not the slightest objection to any properly qualified Roman Catholic coming on to any of our public bodies, but as I pointed out to Mr. Sexton, there is at the present moment a point upon which the Catholics and the Protestants do differ, that is the question of Home Rule; and I believe that a Catholic Home Ruler, if he were to come forward at the present moment, would not get the support from the Protestants that he might expect under other circumstances.

876. In other words the question of Home Rule is far and beyond the question of ordinary lunatics; it has become and is used by the Protestants in Belfast as an Imperial question?—It is looked upon in that light.

877. That is to say, in the event of such a measure being passed the Protestants would look upon it as practically the ruin of Belfast?—They are rather apprehensive.

878. The question of Home Rule is looked upon in Belfast as one beyond the phase of politics between Conservatives and Liberals?—Yes.

Chairman.

879. Has there been any larger representation of Catholics in past times upon the Corporation?—No.

Mr. T. W. Russell.

880. Do you ever remember a Catholic in the Town Council?—Not in my time.

Mr. Sexton.

881. As a matter of fact, were there ever more than two?—I do not know.

882. You

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[Continued.]

Sir Edward Harland.

882. You have been engaged for a very long time in the employment of a very large number of workmen, and purchasing all kinds of materials, contracting for supplies of all descriptions; a good deal of reference has been made to the extravagance that would probably result from there being two asylums in the place of one; would you look upon an establishment of the magnitude of the present asylum in Belfast with 400 or 500 or 600 occupants as sufficiently large to enable those purchasing supplies to get full value for their money, the quantities being sufficiently large to induce providers to quote the lowest price?—I think that the quantities they would require would secure the lowest quotations.

883. You also consider the number of officers, not only the medical staff, but all those connected with the internal arrangements of the asylum are all what may be called fully and amply employed, judging from the present size of the asylum?—I think so.

884. That is to say, there are no idlers going about who could, for the same wages or salaries, execute more duties if more were given them to do?—I do not think that you could impose more duty upon the present officials.

885. Assuming that the two asylums were separate, I presume there would be a public auditor to inspect the accounts of the two asylums?—There would necessarily be.

886. Then would there not be some advantage to both asylums if they chose to compare notes from the public auditor as to what it cost per head in each asylum?—Yes.

887. And so one board might be able to check the internal expenses and internal extravagances, the one against the other?—Yes.

888. That advantage to the public would be lost if there were one asylum?—Yes.

889. In one asylum all the accounts would be under one head, and the auditor would be only able to judge of it as one account?—Yes.

890. Whereas in the case of these two asylums he can judge of each establishment perfectly independently, having two distinct sets of accounts, so that by the cost of one, both being in the same county and not many miles apart, he would be able to judge as to the relative economy or otherwise of each establishment; do you think advantage would be derived under that head?—No doubt that would be so.

891. And that would probably counteract any little extra expenses to some extent inseparable from there being two complete establishments?—Yes.

892. With reference to the inability to extend the building of the present asylum, one of the witnesses we had here examined said that it was

Sir Edward Harland—continued.

necessary to have so much room per occupant on account of those from the country requiring to have land to cultivate, such as working in the garden and that kind of thing; that being the ordinary exercise, or trade, or occupation which the patients from the country have been accustomed to. That would perhaps account satisfactorily for it being necessary to have so much land for the county asylum at Antrim; but in view of the inmates of the Belfast Asylum being principally from the City of Belfast, nine-tenths of whom would not know probably which end of the spade to use, do you think that workshops would be better?

Chairman.] We have evidence that there is not the same amount of land required in the case of town patients as in the case of country patients.

Sir Edward Harland.] That being the case I presume; to continue the argument as against myself extending the Belfast Asylum will fall to the ground.

Chairman.] That is a matter of argument which has been raised; we have evidence upon our notes about it.

Sir Edward Harland.

893. Do you think that workshops of such a kind would be as useful to lead the mind of the town occupant away from the dull routine of the asylum as work in the garden would those from the country?—That is my impression as a layman, but it is a medical question.

Mr. J. D. Fitzgerald.

894. I believe it is the fact that the Corporation of Belfast presented addresses both to Sir George Trevelyan and Lord Spencer when they came to Belfast?—Certainly.

895. Whatever the law is now with regard to commitments by the magistrates to industrial schools, this Bill makes no alteration in that at all?—No; no change that I am aware of.

896. The whole remains the same as it was before?—Precisely.

Mr. Sexton.

897. Sir Edward Harland suggests that if two houses were under distinct management you would have the advantage of comparison of the cost; is it not the fact that the inspectors of lunatics every year publish a return showing the cost per head per annum of each patient in every asylum in Ireland?—Yes, there are many matters upon which they could compare their experience.

The Witness withdrew.

Dr. ALEXANDER STUART MERRICK, sworn; Examined by Mr. J. D. Fitzgerald.

898. YOU are medical superintendent of the Belfast Lunatic Asylum?—I am.

899. And you have held that position for 17 years?—I have.

900. Before that were you in charge of the Donagh Asylum?—Yes.

901. Before that, again, were you assistant medical officer of the Cork Asylum?—I was.

902. You have had very large experience in the treatment of the insane?—Twenty-two years.

903. On the 31st of December last, how many patients

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Dr. MERRICK.

[Continued.]

Mr. J. D. Fitzgerald—continued.

patients had you upon the books of the Belfast Asylum?—Six hundred and seventy-one.

904. And how were these divided as between the city and the county?—There were 356 from the city, and 315 from the county; that is including the county and the town of Carrickfergus.

905. Does that 671, the figure you have given us, include the cases in the Ballymena Workhouse?—There are 100 cases at Ballymena, and 571 resident in the Belfast Asylum.

906. The asylum is crowded at present?—There is sleeping accommodation for 480.

907. I believe some additions to that are contemplated?—On sanitary grounds, it is proposed to build a detached hospital away from the building itself; that would hold 50 patients, and that would make the aggregate accommodation 530.

Mr. Sexton.

908. There are 671 in the house?—No, I said not; there are 671 on the books, and 100 are located in Ballymena; that makes 571 resident in the Belfast Asylum.

Mr. J. D. Fitzgerald.

909. As to the patients at Ballymena, is it a satisfactory arrangement in your opinion?—I do not think so.

910. As regards the extent of ground, how many patients could you accommodate, having regard to the extent of ground round the asylum?—The rule is one acre for 10 patients, and there are 54 acres inside the walls, that would make 540, so far as employment goes. I should say about this acreage that it is not altogether for employment; it is for recreation, and it is on hygienic grounds, ventilation, and so forth. It does not mean that there are 540 people digging at the ground; it is for the general treatment of the insane.

911. When the additions that you have spoken of are carried out, Belfast would accommodate 540 patients?—I think so.

912. Is it likely to be sufficient for a number of years to come?—The average increase for the past 20 years (I made out the calculation) is 20 individuals for each year, and of that 20 I would say 12 come from Belfast, so that the calculation would be 356 to 530. I should say it might do for 14 or 15 years upon that average.

Mr. Hincks.

913. How many years is that the average for?—Twenty years; 20 individuals at the end of the year more than upon the first of the year.

Mr. J. D. Fitzgerald.

914. It is conceded that there is to be a separate asylum at Holywell, and assuming that to be so, from your experience would it be an advisable thing to have that asylum under the same board of management as the Belfast Asylum?—That is the plea; but I should say that there should be separate executive management; that is to say that the staff of either asylum should be independent the one of the other.

Mr. T. W. Russell.

915. You think that there should be a complete staff in each?—A complete staff in each, the one independent of the other.

Mr. J. D. Fitzgerald.

916. Would there be any economy, in your opinion, in attempting a joint management?—No, indeed. I understood that the question was in the first instance whether one board of governors could work both asylums. I say that that is a matter for themselves, but that I would strongly urge the necessity of having the asylums separate and distinct the one from the other, that is to say separate and self-contained asylums. I say that there is no economy in having them both under one management.

Chairman.

917. Your view is that whatever be the board of management, whether joint or separate, at all events the two asylums should be kept entirely distinct as regards the staff?—Yes, as regards the staff or the treatment of the patients; the medical staff and so forth, the executive.

Mr. J. D. Fitzgerald.

918. One suggestion which has been made is that there would be economy in getting supplies if there was joint management; would that be so in your opinion?—I am sure that it would make no difference in the world.

919. A suggestion has been made that there would be economy in advertising; what is the total cost of advertising in connection with the present asylum?—I should say that a 5*l.* note would do the best part of it. There are simply two advertisements in the year for supplies; the one is in June, and the other in October. That is all the advertisements.

920. Therefore it would be hardly possible to effect any appreciable economy as regards advertising?—Oh, dear no.

921. Would it be possible for the same medical superintendent to manage both asylums?—No, that would be clearly impossible. It would not be fair to the patients, and it would not be fair to the superintendent.

922. Would there be a difficulty also about the official records?—You could not compile them if there were not proper classification in both places. For instance, you could not prepare one of those returns which are required by the inspectors for the Parliamentary report.

Mr. T. W. Russell.

923. It was suggested that there might be a resident medical superintendent and an inferior medical officer; would that be workable?—I figured the thing out pretty accurately as well as I was able. Of course the superintendent at Holywell will hardly, coming in there as a fresh man, be as well paid as the man in Belfast, so that, looking at it in that way, what you say would be correct.

924. I did not say it; but it was suggested?—But you asked me about it.

925. I asked you whether it would be a possible arrangement to have a responsible man at the head of affairs and an underling in the other asylum?—My contention is that both places should

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[Continued.]

Mr. T. W. Russell—continued.

should be perfectly distinct. Of course the salary of the one man very likely would not be the same as the salary of the other.

Mr. J. D. Fitzgerald.

926. Do you know any case in Ireland of two asylums in the same district with the same executive staff?—No, nor anywhere else.

927. So far as your experience goes, is there any such case in England?—There are districts where they have separate asylums, but I know of no place where you have more than one asylum for a district under joint management.

Mr. Sexton.

928. There are cases in England of separate asylums under joint management, are there not?—The management is distinct.

929. The boards are distinct?—The boards, what they call visiting committees in England, are quite distinct; but the board would make no odds as regards the cost, because they are not paid.

930. Do you know any case where there is more than one asylum under the same board?—I never heard of it.

931. Is there no such case about London?—Not that I know of.

932. Do you not know that one board governs all the asylums in London?—Yes, but you are mixing up things terribly. The word "lunatic" is too general a term. For instance, you have the lunatics in the workhouses and in the asylums. Although the term is the same the individuals are as different as day from night; for instance, you will get cases in the workhouses where one attendant could look after 15 of them readily enough; whereas in the acute and dangerous cases that we have in the asylum the same accommodation would not do at all.

933. The point I put to you was different?—I was speaking about the term "lunatic."

934. You delivered a harsh verdict upon my question without happening to apprehend it. Is it not a fact that the Metropolitan Asylums Board governs more than one asylum?—But these are chronic, not acute cases.

935. But they are different institutions?—But they are different patients.

936. But does not one board govern different institutions?—I do not know.

Mr. J. D. Fitzgerald.

937. What size will this new asylum at Holywell probably require to be?—I should say that it would have to be large enough to accommodate 400 patients to start with.

938. Would it be a wise thing in your opinion to use an asylum of that kind as a convalescent home for the Belfast patients?—In my opinion starting an institution of such a terrible size as a convalescent home for another institution is a different question altogether, because Holywell will be practically very nearly as large as the parent asylum, and those convalescent homes may be for about 10 per cent. of the population of the parent asylum; I think it would be a terrible expenditure to go in for, to make Holywell a convalescent home.

939. You would require something very much

Mr. J. D. Fitzgerald—continued.

smaller for that purpose?—It is to my mind a different question altogether.

940. Turning for a moment to the Belfast Asylum, what is your rate of mortality there as compared with other asylums?—I think we are very favourably situated. Our mortality is something like 5 per cent. for the last 10 years or so.

941. And that compares favourably with similar asylums?—It does over the whole kingdom.

942. Is the rate of recovery of your patients above the general average?—Well, it is a good average; it is about 44 per cent. I see by the table. That is a very fair average of the asylums in the kingdom.

943. Another suggestion seems to have been made, that what might be called the agricultural portion of the patients should be sent to a country asylum and that the town portion should be kept in a town asylum; what do you say to that?—I think it is a very hypothetical arrangement, you could not work it out practically. For instance, you are assuming by that question that all the city patients that come into the asylum are not able to labour, and that if in such cases they are able to labour and you have not ground for them, how are they to be dealt with? Then you have a good many country patients, tradesmen, shoemakers, tailors, and so on, and if you put all those in one asylum and all the agriculturists in the other asylum, my impression is that the thing will not work well.

944. Would it add considerably to the expense, inasmuch as you would not have the tradesmen to do the work?—I do not think that they would get on at all; that is my opinion. I maintain that each asylum should be self-contained with trades, workshops and so forth.

945. From what you know by your many years' experience would the friends of the city patients object to their being sent to a long distance from the city?—I know they would, because in several cases already, when I have been transferring those quiet and harmless cases to the Ballymena Workhouse, I have very often had complaints and requests to use my influence to accept them back and not to send them to Ballymena.

946. And where there is a chance of a patient's recovery is it very advantageous that he should see his friends occasionally?—There are cases of that description, and again there are cases where you have to keep the friends from seeing the patients; and that is very often a very troublesome matter, because they go about reporting to the governor that you will not allow them to see their friends.

947. But where the case is favourable it is very important that they should be able to see their friends?—It is very important indeed in some cases that they should be able to see their friends.

Mr. Sexton.

948. Is it the fact that there are twenty patients or so from the town part of the city of Belfast in the Belfast Asylum?—I think there are; I made out the return; I forget how many exactly.

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Dr. MERRICK.

[Continued.]

Mr. SEXTON—continued.

exactly there were, but I am sure there would be twenty.

949. Are they paid for at the Antrim rates?—Yes.

950. Half by the city and half by the county?—Yes. I have to return all the inmates.

951. We understand that the complaint of the corporation with regard to Down is that they have to pay one-tenth of the cost?—They are paying double for every patient.

952. Should there not be an arrangement with regard to the cost of them?—I never heard of the arrangement until very recently, and I thought it to say the least very stupid. They are losing on those patients.

953. Is not the city really paying twice over, that is to say paying the County Down under the general arrangement and paying out of the rates in Belfast?—Yes.

954. I am glad to have elicited that fact, because the city of Belfast will be relieved as any rate?—It is a fact.

955. This is the capably governed city, paying twice for the maintenance of these twenty people first to the grand jury of Down, who do not support the people at all; and secondly, for the actual support of the people in the Belfast Asylum?—Yes; of course the Down people say that the patients have not been sent to Downpatrick.

956. You do not agree with the resolution which the Grand Jury passed in the spring of 1891, that the administration of the law relating to lunatics could be more economically carried out by continuing the connection between the city and the county?—I have heard that statement made frequently, but I have never heard any proof of it, and I have gone into the matter as carefully as I could, because I am the person that started the whole business at the Board of Governors; I was getting so overcrowded. That was in the year 1886, I think, and I have been going into the matter as carefully as I can ever since, and I cannot see how that resolution stands. It is a statement which has been made over and over again, but I have never heard any proofs in support of it.

957. The general affirmation is that the present management is economical and good?—It compares favourably with the other asylums in Ireland.

958. With many others?—Taking the whole lot of them, we are very much in a line.

959. Your cost is over 21 £ a head, is it not?—It is between 23 £ and 24 £.

960. It is not so bad as that, is it?—I think it is, but I will give it you exactly. We could not work as cheap as 21 £. We have to pay higher salaries and some of the district salaries throughout Ireland. The governors are not had to their employments in that way. The average cost is 23 £ 17 s. for 1891. Deducting what we receive from paying patients and from miscellaneous sources it leaves chargeable on the rates 23 £ 18 s., or you may call it 23 £. Then, of course, you take the 10 £ 8 s., the Government grant, from that, and the difference is the cost to the rates; it is between 12 £ and 13 £.

961. I should like to get from you a point of some importance. The Government contribution

Mr. SEXTON—continued.

being 10 £ 8 s., and the cost per patient being 23 £ 18 s., that is 10 £ 8 s. from the Government, and 12 £ 10 s. from the local purse, it follows, of course, that if the board is constituted in proportion to the payments the Corporation, under the scheme, would have a majority upon the board?—If that is the basis, but I do not know that it is.

962. Is not that the basis now?—I do not know; I could not tell you.

963. You know that the board is 22 in number?—I do.

964. And that of those the Lord Lieutenant nominates 10 and the local authority 12?—Yes.

965. And that this proportion corresponds generally to the proportionate payments made by the Government and by the local authority?—I do not know how the rule comes out. I believe it is a Government circular, but I do not know of my own knowledge.

966. Have you not just said that the Government pay 10 £ 8 s. and the local authority 12 £ 10 s., and that that corresponds with the proportions of the governors nominated by the two authorities?—Yes, but I do not know that it is on that basis; it may be a coincidence.

967. Do you remember the last resolution of the governors themselves at their memorable meeting, when Sir James Hailet and Dr. Whitaker left the room?—I remember that very well.

968. The governors first declared in favour of a combined management, and then on the motion, I think of the Right Honourable John Young, seconded by the Catholic Bishop, the Reverend J. McAlester, they resolved: "That the Board having carefully gone over the whole question, and their previous minutes on the subject, are of opinion that the joint management of the Belfast and Holywell Asylum would result in advantage to the patients and economy of the public funds, and that separation should be postponed until both asylums are in working order as urged by Mr. Owen in his report, 19th March 1890, and only considered when the joint management has had a fair trial." Do you see any strong objection to allowing the joint management of the two asylums by the present Board?—Mr. Owen's report is simply a report on certain schemes that were suggested by the Board of Governors from time to time, and submitted to Mr. Owen for his approval; and then he added that rider on his own account. But it is simply on financial grounds. The schemes in the first instance had been discussed by the Board of Governors.

969. Mr. Owen in his report speaks of schemes submitted by his Board, the Board of Works, to the Government?—It is the other way about. I have the whole thing here from beginning to end. The state of affairs is exactly this, that from time to time from the initiative stage in 1886, several suggestions had been made to the Board of Governors, and all those schemes were submitted to the Board of Control of which Mr. Owen was the architect. Mr. Owen was invited by the Board of Governors to come and discuss the question with them, and Mr. Owen having gone through the place, and having had a discussion with myself writes these reports, because there are two of them.

970. This

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[Continued.]

Mr. Sexton—continued.

970. This is the Report of the 10th of March 1890?—That is the second one. There is another one before that in which those schemes that I speak of are recited. At all events this rider simply means on financial grounds. I had a very long consultation with Mr. Owen, and his anxiety was as to the financial basis of division. It was not looking to the benefit of the patients, or the treatment of the patients, but it was simply a matter of finance with him. He was troubled as to how he could come at the valuation and as to what would be a fair proportion to give to the county if they were separated; and he thought that the best plan was to leave things alone until the proposed asylum in County Antrim was a going concern, and to take the expenses and divide them equally between the city and the county. That is the meaning of that suggestion of Mr. Owen's, but it has nothing in the world to do with what you call executive management or the treatment of the insane.

971. You are not responsible for it, but there is the inconvenient fact that the Committee have only before them one scheme for the Bill while there appear to have been a variety of schemes before the people of Ireland, and we are not in a position to compare them as I think we ought to be. But as an expert do you see any reason, this being a matter confessedly of experiment, why the joint board should not continue for a limited period to manage the two asylums, with a view to see whether they could be conducted jointly to the advantage of the patients rather than embark now upon a system of separate management which may prove unsuccessful?—In my opinion it is the other way about; that what you propose would be the experiment. The sub-division of a district has been done over and over again. If Belfast was a county of a city there need not be the trouble of passing a Bill, but it would be only a matter of legal procedure. It has been done all over Ireland. Take the old Derry Asylum for Derry, for Donagall, and for Fermanagh and so forth. Then take Down; Down has been knocked off from Belfast. You could go through a lot of asylums in that way in Ireland. It is an old story; it is not at all an experiment.

972. I suggest that if you allow the joint board to continue until the two asylums are at work, you can then by passing a general Bill to subdivide the districts, substitute a separate board; but if you now establish separate boards it would be rather difficult to go back to a joint board in case the separate boards were not successful?—That would not be a matter of medical opinion, but I believe strongly that so far as the treatment of the insane goes and the practical working of the asylum, it could not be done with advantage to the patients. I believe in having both institutions quite distinct, separate, and independent, having a superintendent at the head of affairs and letting him work the place in each asylum.

973. Is there anything in the point which is so often urged, that it would be very useful to have these two asylums linked by a common management, so that the governing body or yourself as the medical superintendent of both, could use the houses for the interchange of patients; would you find it desirable as the expert medical man to have another house in the county to

Mr. Sexton—continued.

which you might occasionally transfer patients at a certain stage of the disease or approaching recovery, or would you rather be without it?—There are cases no doubt that do get good from change, but that would not be on any large scale. I could not go before my Board of Governors and ask them to go in for a big expenditure on what would be a very small percentage of the patients. I could not advise that. If they started a small convalescent home, such as is attached to some hospitals for the insane both in England and Scotland, as I have already stated, with about perhaps 10 per cent. or so of the accommodation of the parent asylum. I could quite understand that sort of thing; but to build a big place and undertake this big expense to make a convalescent home for the same amount of patients as the parent asylum has, I think would be a little exaggerated. The interchange of patients simply means to my mind a sort of convalescent home arrangement, and I do not think that you have that number from time to time. Then I showed you that our average recovery rate and average mortality rate was fairly good. I do not see how you could improve upon those things; I do not think you will increase your recovery rate.

Mr. T. W. Russell.

974. Can you interchange patients now?—No; I could with Ballymena.

Mr. Sexton.

975. It is not simply a question of convalescence, I think?—I do not know what you mean; I am only answering what I think you mean.

976. You have probably read the petition of the inhabitants and cesspayors, signed by seven of your governors?—I have not, nor do I know what the petition is.

977. They include Dr. Cumming, the only medical man on the board (reading an extract from the petition)?—I would like them to specify, because that is very general language and might mean anything. If they would specify the class of patients that they meant, then you would see at once the number of that kind of patients in an average lunatic asylum, and it would put the thing in a nutshell. These general terms mean nothing for a particular type of disease.

978. It is not so much that they mean nothing as that they may need further elucidation?—When I say that they mean nothing, I mean that they do not specify sufficiently to indicate what their meaning is. It is a broad general term, as I have said before, like the word "lunatic." If I explain all that to the Committee I shall have to go into detail, and I shall only weary you.

979. Does it occur to you, however, that this general argument of theirs admits of any specification; does it occur to you that the result at which they arrive is one which might be arrived at by joint management?—It occurs to me that there may be a very small percentage of the asylum patients that this transfer may be useful to, not sufficiently large in my opinion to justify me in recommending my Board of Governors to incur a big expense about it.

980. Would you require as large a staff in two asylums jointly managed sixteen miles apart as

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Continued.

Mr. Sexton—continued.

in two asylums so situated under separate management?—Exactly the same; I see no difference; I have gone into the thing as carefully as I could.

961. Would it not be quite possible for you to superintend both asylums with a complementary man under you in each; would you need to have a man of your mark in the second asylum?—If you could get him I suppose you would.

962. With the usual attraction I suppose you could get him?—I do not know; but I think we should have a superintendent at both places; I think they should be independent; that is my strong feeling.

963. We have heard that Antrim has a decreasing population, while the population of the city is advancing by leaps and bounds?—Yes.

964. The city pays half the cost, does it not? I believe that is the arrangement between the grand jury and the Corporation.

965. If the city have actually 356 patients and the county 315, does not that show that the present arrangement is very beneficial to the city their actual number being larger than half, though they only pay for half?—Yes.

966. By this scheme you surrender all that advantage to the city, do you not?—I know, but I am not an advocate for the city.

967. But you are not only a doctor, but also an intelligent man?—I hope so; I have been 22 years among the insane.

968. The city is a growing community with an increasing number of insane, not only because it is growing, but because it is a city; is it not generally assumed that the proportion follows the increased population?—Not necessarily. What I mean to convey is this: that you will find, for instance, taking Ireland as a whole, that the population has decreased, and a lot of people have gone away through emigration and so forth, and you will find that the remainder have a larger proportion of insane than there would have been if so many strong and healthy persons had not left the country. That is the reason why I say that if the same thing occurs in the county Antrim you may not decrease your insane in the same proportion.

969. The fact has been at any rate that twelve out of every twenty of the patients come from the city?—That is so.

970. Is not that a reply to your own suggestion?—I took the average increase for every year, and it was twenty, and I found by looking over my books that I calculated the increase in that way when there were about twelve from the city and eight from the county. That is how I arrived at the figures.

971. Until the new asylum is built the insane from the county will be sent to you, and paid for by the county, though the county will have no share whatever in the constitution of the board by which the asylum is governed; is not that so?—How will that interfere with the patients, or with the expenditure, or anything?

972. May it not cause discontent?—I do not think so; what would the discontent be about?

973. The old story; taxation, without representation?—When you take the capitation of the entire institution, say at 23*l.*, you can hardly eliminate A. B. and C. from that. You have so

Mr. Sexton—continued.

many patients at so much per head, and that is the account for the twelve months, or the six months, as the case may be.

974. You are acquainted with the proceedings of the board; do you think it a convenient arrangement that whenever either of the two boards wants to send a patient to the other there might be a dispute as to the accommodation, which would have to be settled by the Board of Control, and arbitration by the Lord Lieutenant, and the payment of costs, and so forth?—I do not see why there should be any unpleasantness in the matter. So far as I understand the arrangement is simply this; that if there happens to be room you may receive a patient into the Holywell Asylum from the city; I have not read the clause.

975. It is mutual; either asylum can send to the other?—That being so, whatever the capitation cost is, if the city, which is more than probable, will be sending their patients to Holywell they will pay them whatever the capitation rate is, whether 22*l.* or 23*l.* I do not see that there is need of any arbitration or dispute in the matter at all.

976. You say that the land is not sufficient for increasing your building much at Belfast?—No; we tried that, and had any amount of consultations between Mr. Owen and the architect of the board, the late Mr. Jackson. I am afraid to say how often they had been there, and they went into every square inch, and the governors had a great many meetings.

977. What do you call the recognised limit of legitimate accommodation in your asylum in Belfast?—It has been measured by the Board of Control, and we have sleeping accommodation for 480.

978. How many will you have to accommodate immediately in the asylum, as the city asylum, in case the Corporation get their scheme carried?—Three hundred and fifty-six.

979. Will that include any allowance for the workhouse or from Ballymena?—Yes, it includes Ballymena, but not the workhouse. If you bring in the insane out of the workhouse, which, I believe, is the proper thing to do, it would not look at it.

1000. You think that would be the proper thing to do?—I do; I have my own idea about the treatment of insanity.

1001. Your idea cannot be carried out by the present scheme?—Only a part of them.

1002. Could they be carried out if the two asylums were under joint management?—No, they could not.

1003. How soon would the limit of accommodation be probably reached if the Belfast Asylum became the City Asylum?—I think in about 14 or 15 years.

1004. That is on the assumption that your 356 may be increased by twelve per annum?—It is.

1005. If the city should grow very much more than you expect the accommodation might be exhausted sooner?—Yes; I am only calculating on these figures.

1006. On that event happening, looking to the objection made by the Board of Control to the increase upon the present site, you would have

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to build another asylum somewhere?—I hope they will do better than that if they take my advice.

1007. What would you do?—I would suggest that when the Belfast Asylum becomes the City Asylum they should sell the entire present Belfast Asylum. It would accommodate 530 patients, 480 for sleeping accommodation, and 50 for the detached hospital. That ought to give sufficient accommodation for 14 or 15 years, and then the question is put to me, What will the Board of Governors do when the limit of accommodation is exhausted? I say that I hope that instead of adding to the present asylum the Board of Governors would be able to sell the entire property and move a mile or two farther out and build whatever accommodation they require there. I do not think that you can add upon the present grounds; I would not advise at least that any further addition should be made.

1008. But the limitation of the accommodation for the city to the existing asylum within the city, will drive you before long either to sell that asylum or to build another, and then you will have for the city and the county asylum three asylums instead of two?—No, we should not do that; that would be nonsense. I think the proper thing if we are driven to that extremity, would be to sell the present asylum and the grounds which are valuable.

1009. You have just described as nonsense, which is not very courteous, the statement I made that they should either sell the asylum which is your own branch of the option or erect another?—I understood that there would be three asylums for the county Antrim.

1010. I said that they would either sell the present asylum or erect another?—I did not in the slightest degree intend to be rude, but I understood you to say that there were to be three asylums for the county Antrim.

1011. Is there anything nonsensical in supposing that if the accommodation at Belfast proved insufficient the board of governors might determine to sell the asylum, and in that event they would have no option, but to erect another?—I think it would be a very foolish arrangement.

1012. A sale requires two parties, a seller and a buyer; supposing that they could find a suitable buyer would they have any option then but to erect a second asylum?—They would have plenty of buyers.

1013. That is a matter of speculation, and to take one view of the probability of a suitable buyer is not necessarily to be nonsensical. I submit again that unless they are resolved to sell, and find a suitable purchaser, doubtful considerations, they would have in that event to erect another asylum, and then there would be three asylums for the city of Belfast and the county Antrim?—I do not apprehend that.

1014. I think you are sanguine?

Mr. Knox.

1014.* What was the number of lunatics chargeable to Belfast in the Belfast Asylum 10 years ago, say in 1880?—I could not tell you; I have not got those data with me; but you could calculate it by taking the average of 12 in

Mr. Knox—continued.

the year, and then multiplying that by as many years as you like and deducting it from the 356.

Mr. Sexton.

1015. These are the official figures (*standing a paper to the Witness*)?—That is better. This gives the entire district.

Mr. Knox.

1016. You have not the figures as to each separately, say for 1880?—I could telegraph for them; but what I tell you will in a rough way come very close to it.

1017. I think you may take it in a rough way that it is true that there has been an increase of 50 per cent. upon the figures of 10 years ago. It is so for the county and the city, and that certainly would not be an exaggeration for the city alone?—In 1880 there were in the asylum 463 patients and now there are 671. That is a difference of about 200, and that would be an increase of 43 per cent. or thereabouts.

1018. The city has contributed to that increase in a larger proportion than the county has, has it not?—I think so.

1019. So that 50 per cent. for the city would probably not be an exaggeration?—Perhaps not, but I have not gone into those figures.

1020. If you made an addition of 50 per cent. to the present figures, that would exceed the accommodation of the Belfast Asylum, would it not?—My calculation as I gave it to Mr. Sexton was that we had an increase of about twelve every year.

1021. But is it not likely that as the population of the city increases, the number of 12 will be exceeded?—Of course it is probable. That is a calculation that you could make out just as well as I could; I could not give you more than a speculation upon it.

1022. I should like to see the exact figures as to the past?—I could get them for you, and I will certainly do so.

1023. Can you get the figures as to the numbers chargeable to Antrim and to Belfast respectively from say 1880 to 1890?—I will get them for you.

1024. Have you read the report of Sir Arthur Mitchell's Committee?—No.

1025. That was a very important report, was it not, upon lunacy administration in Ireland?—I remember that they were in Belfast; but I was away on leave, and I had not the pleasure of meeting them.

1026. Do you not generally read the ordinary lunacy literature, as it were?—I do; I have to read it because I have to lecture on it; but I did not read that report.

1027. It seems a strange thing that you should not have read it?—It is an omission on my part, but I did not do it.

1028. Sir Arthur Mitchell, I believe, is an expert of the highest standing in lunacy matters?—He is one of the commissioners in Scotland.

1029. Do you agree with this passage at page 10 of this report referring to the insane in workhouses: "In some of the workhouses they may be fairly well circumstanced and treated, but in most their condition is unsatisfactory, and in

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[Continued.]

Mr. Kner—continued.

many so very unsatisfactory that an earnest effort to improve it should be made without waiting for fresh legislation"?—That is the hint that I gave in one of my answers to Mr. Saxton, I think. I said that I had a pet scheme of my own, and that is what I mean. I think that the insane should not be under the Local Government Board at all, but under the Commissioners of Lunacy. I think it is a speciality, and should be treated as such.

1030. Perhaps you will agree, therefore, with the report as to the Belfast workhouse, which was made by Dr. O'Farrell and Dr. Courtenay, the two inspectors of lunatics in Ireland. They say, referring to this very large number of inmates, larger than the number of Belfast patients in the lunatic asylum?—Although no pretence is even made that its inmates are treated as free agents it is kept up without any legal sanction and its inmates are detained and are placed, without any fault of their own, beyond the protection which the law allows to every individual. Then they go on to say that no person is directly responsible for the care of the patients; that mechanical restraint would appear to be made use of indiscriminately, in many cases without sufficient reason for its use, and for periods of time beyond what was required. "We saw a small child with arms constantly tied, because she attempted to bite and scratch those about her. This child was also without shoes and stockings." "On the male side no means of employment of any sort appeared to exist, and we did not see any of the inmates engaged in any form of industry." "The number of attendants is entirely insufficient." "The water-closets are also of an antiquated type and insufficient." Generally I suppose you know the condition of the workhouse?—I know it very well; I have often been through it.

1031. Do you agree with those statements?—To my mind that is another question altogether from asylum accommodation. If you took away the insane from workhouses I would not put them into asylums, which are institutions for the care and treatment of acute and dangerous cases; I would establish another class of institutions for that class of patients. It would not interfere at all with the asylum accommodation.

1032. What I asked was whether, as a matter of fact, you agreed with these statements as to the condition of these unfortunate people in the Belfast workhouse, given by the Government inspectors?—What they have said is of course true, because it is what they saw.

1033. Whatever you think ought to be done with most of them, is it not a fact that many of those people in the Belfast workhouse are the same class of lunatics as those under your charge?—I think there must be few, if any, but I would not like to give a decided opinion upon that point. My point is that that class of idiots, imbeciles, demented, and those chronic epileptics that are referred to by the inspector should all be put into an institution like those which you have here in London, at Caterham and Leavesden; but it has nothing to do with the asylum accommodation properly so-called, which is for the treatment of acute and dangerous cases of insanity.

Mr. Kner—continued.

1034. At any rate, I understand that Sir Arthur Mitchell's Committee thought that many of those people in the workhouses ought to be transferred?—Perhaps so; I could not say without examining them; I am only giving you my own impression.

1035. As to the accommodation in the present Belfast Asylum, there are 55 acres of land, but as I understand, 13 of those acres are taken up by buildings, &c.?—I can give you that exactly. I said that there were about 54 acres inside the walls.

1036. You said that there was about 40 acres so far as employment goes?—I think I said that 54 acres multiplied by 10 give 540.

1037. But as I understand, of the 55 acres, 13 acres are stated in the Government report to be taken up by buildings and courts?—Yes, that is so.

1038. So that that only leaves 42 acres?—I should explain with regard to having 10 patients to the acre, that the idea is an average of the entire estate, including the buildings, and walks, and so forth.

Chairman.

1039. That is a rough measure which the Lunatic Asylum Board in Dublin have laid down for the whole?—And the English Commissioners the same.

1040. That taking buildings and ground together there ought to be one acre for every 10 patients?—Exactly.

Mr. Kner.

1041. Has your attention been called to the report of the Lunacy Inspectors on the condition of the Belfast Asylum, in which they say: "The yards appeared uninteresting and depressing in the extreme. That used by the more troublesome patients is surrounded by high buildings, and there is nothing in it of interest to look at or anything to occupy the attention except a pump. We think that steps should be taken to do away with these yards as far as possible for the use of the insane, and that some means of employment should be provided for those who are unable to work on the farm by erecting a few sheds as workshops," and so on. Do you agree with that statement?—I agree that we should have workshops, but I am not prepared to advise that the airing courts should be altogether done away with, because there are some dangerous cases which I should be afraid would do harm, especially cases with homicidal impulse. I think it would be only tempting Providence to do away with those courts.

1042. At any rate in that respect the provision in the present space for recreation and employment is not sufficient?—I think what the inspectors refer to is what we have been trying at for many a year, and that is to get up means of employing the patients in the workshops and so forth, because a great number of our city people, even strong healthy men, coming in from those manufacturing and mills and places where the temperature is pretty high, you cannot send them out in the cold. I have done it, but they get a chill and you have to bring them in. That is what we are attempting, and it has been before the Board of Governors for many a long day.

1043. I presume

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[Continued.]

Mr. HINCHES.

1043. I presume that the patients in the workhouses are of the class that may be called harmless or incurable?—Harmless, chronic, or incurable.

1044. And is it your opinion that accommodation for that class of patients should be provided in separate establishments?—It is.

1045. So that the number of patients of that character does not affect the question of the asylum accommodation that is necessary for the district?—No.

1046. Would that be under the Poor Law Department or under the Lunacy Department?—I hope it would be under the Lunacy Department.

1047. Still it would be a separate establishment from the asylum?—Yes, the accommodation in an institution of that class is on altogether on different lines from the accommodation required in a lunatic asylum.

1048. Is that the opinion of the Board of Control in Ireland?—I do not know.

1049. I do not think it is the opinion of the Lunacy Commissioners in England. Do you know whether the Board of Control would consent to the setting up of an establishment of this character in Belfast or elsewhere in Ireland?—The structural arrangements would be cheaper in the one case than in the other; the difference would be in that respect, and not in the food and clothing, and so forth.

1050. Confining yourself to the question of Belfast, have you any opinion as to whether the Board of Control would sanction the carrying out of such an arrangement as that?—I could not say.

1051. With regard to the increase in the number of patients which you have given us as 12 per annum, for the city, has that increase been greater for the last two or three years, or has there been a steady increase over the whole period of 20 years?—There has been a steady increase, and during the last three or four years our admissions are practically almost the same.

1052. Is that principally due to the increase in the population?—I think so.

1053. In your view may it be anticipated that this increase will go on *pari passu* with the increase of population?—I think so.

1054. In calculating the figures before you, have you merely the number of patients who come upon your books or had you also the lunatics in the workhouses?—Just my own records of the Belfast Asylum; I do not deal with the workhouse returns at all.

1055. Your average is based simply upon the number of patients who have been brought under your notice as the superintendent of the Belfast asylum?—Yes, and I can distinguish between the patients from the different parts of the district; that is to say, from the county of Antrim and the city of Belfast, but I unfortunately did not bring that return with me.

1056. There would be no difficulty, I presume, in getting a site within the area of the city of Belfast for another and a larger asylum?—You will get it, certainly, on the borders of the city.

1057. And, possibly, a more convenient and more healthy site than the present one?—As good a site, at all events, because I consider that our site is fairly healthy, and our sanitary condition is very good.

Mr. HINCHES—continued.

1058. You would be able to get a site with more open ground and free space around it?—It is the want of that that ruins us. We are built in by factories, and so forth, and we cannot extend.

Sir Edward HARLAND.

1059. With reference to the statement that was made as to a few patients from the County Down side of Belfast having obtained admission into the asylum, which is practically for the County Antrim, as well as partly for the city, in place of their having been drafted over to the Downpatrick Asylum, which is for the County Down, I presume the usual course is that in a case of lunacy presenting itself the parents apply to a magistrate or give information to a magistrate?—Yes.

1060. And then the magistrate directs I suppose some properly qualified medical officer to examine and determine whether the patient should or should not go into an asylum, and then two or three of the governors certify that the case is a fit case for admission?—Yes; that is the usual course.

1061. In those particular cases have you any reason to suppose that the desire that those particular patients should be placed in the County Antrim Asylum or on the Belfast Asylum arose from the desire of the friends that the case should be near them?—My own opinion is that the rule was not known; I knew nothing until very recently about the sending of patients from the County Down part of Belfast to Downpatrick; I thought that all the people living in that part of Belfast belonged to the Belfast Asylum district.

1062. You think that it arose from ignorance of any rule of that kind, and not from the anxiety of the friends of the patients that the cases should be near them?—I think the friends would naturally prefer to have their patients in the Belfast Asylum than in Downpatrick, because now that the thing is known, and the friends are aware that some of the patients will probably have to be transferred from the Belfast Asylum, they are in a very uneasy state of mind.

1063. That is, no doubt, from the same reason, that they would much prefer that the patients should be in the Belfast Asylum, if handed over to the corporation, than that by any mischance they should be placed in the County Antrim Asylum?—They would much prefer it.

1064. With reference to the population of the County of Antrim, which was referred to, I think, as steadily decreasing, have you any actual knowledge that the population of the county, as a county, is steadily decreasing, leaving out Belfast?—All that I know of it is from the ordinary official census returns.

1065. Can you give any particular reason for that alleged decrease?—I cannot.

1066. In other words, if, by any good fortune, some new industry were to spring up in the County of Antrim, or in some part of the county away from Belfast, the probability is that the population might rise again?—Naturally.

1067. So that, as a matter of fact, it is a question of one or two industries taking root again in the county?—Of course.

1068. And

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[Continued.]

Sir Edward Harland—continued.

1068. And not from what you might term any very serious or important reduction in the industrial pursuits of the county of Antrim?—I do not know what the cause would be.

1069. With reference to the ground in the neighbourhood of your asylum, a moment ago you partly answered what I was going to have asked you; it is only, I think, on the east side of the present asylum that the manufactories and houses have arrived at your immediate border?—On both sides. On one side there is Lindsay's factory, and on the other side the Broadway factory.

1070. But it is not very thickly populated on the west side of the asylum; you have a factory there, but no masses of workers?—No.

1071. You are more or less in the country there?—We are.

1072. Supposing that, in course of time, you should require to enlarge a little, and found that you could no longer wisely do it on your present actual ground, a good deal has been said of the advantages of a convalescent hospital or an asylum for mild cases; I presume that it would not be at all difficult for you to meet with most excellent ground within a quarter of a mile or half a mile?—Certainly, it would not be at all difficult, up the road.

1073. In that most beautiful part of the country?—Yes.

1074. Until perhaps you might require to have an additional asylum altogether?—There was one site near the place you were talking about, that was under the consideration of the Board of Governors before they took Holywell, and speaking from memory I think there was something like 140 acres of beautiful ground up there. You could get plenty of ground.

1075. You are probably better placed than almost any asylum in the country for extensions, if in course of time they are required to be made?—You could make a convalescent home if you required.

Chairman.

1076. Are there many cases in your asylum of a less acute character similar to what you spoke of in the workhouses?—No, very few, because our procedure is as far as we can to pick out all the quiet and harmless cases, and transfer them to the Ballymena workhouse so as to give us room. We could not possibly house the entire lot.

1077. You preserve all these new cases?—Yes, we transfer some of the quiet type to the workhouse, that is, the old demented creatures, brain degeneration and so on; where the persons are quiet and harmless, we can do no good, and we send them over to the workhouse and bring new acute cases in their room.

1078. You do not think it desirable that they should be treated in the same asylum as acute cases?—I should not like a hard-and-fast rule as to acute and chronic, but you can go very near it. All these cases that I have indicated you get in workhouses now, that is, the cases of lunacy and chronic dementia, and those stereotyped epileptics that could be housed in institutions not costing so much money to build as asylums.

1079. It would be better to treat them in that way than to bring them into the asylum with the others?—I think they are two distinct questions in my mind. I would have the acute and dangerous cases of men and so forth in the asylum.

Mr. T. W. Russell.

1080. You do not attach much weight to the convalescent home here; I mean that you consider it would be a very small per centage of cases to which it would apply?—Yes.

1081. Have you read this Bill?—I have not.

1082. Clause 7 provides for the interchange of patients between the Belfast and the Antrim Asylum and between the Antrim and the Belfast Asylum; could not that convalescent home argument be fitted in there?—Undoubtedly.

*The Witness withdrew.**Dr. GEORGE PLUNKETT O'FARRELL, sworn; Examined by Mr. J. D. Fitzgerald.*

1083. You are Inspector of Lunatics in Ireland?—Yes.

1084. And I believe you are also a Commissioner and a member of the Board of Control?—I am.

1085. I believe this matter about the increase or alteration of the Belfast Asylum has been before your Board from time to time?—Yes, for a considerable time.

1086. Just tell me first this: Will the present asylum with certain alterations and additions, in your judgment be sufficient for the city of Belfast?—Yes, at present I should think so, and for some time to come.

1087. You have had before your Board I think the resolutions that were passed by the governors about the separation of the districts?—Yes.

1088. Acting upon these resolutions did your Board sanction the purchase of a site at Holywell for an asylum for the county of Antrim?—Yes, it was bought for the sum of 4,481 £ I think.

1089. In sanctioning that purchase was it upon the understanding that a separation was to take place between the city and the county?—Yes, upon that understanding, otherwise we should not have assented to the purchase of a site so far aloof from Belfast.

1090. I believe in this matter the Lord Lieutenant acts upon the advice of the board of control?—Yes; I may say the board of control is simply a building board; it is a board specially formed under statute to purchase land and erect buildings; it has nothing to say to the management of the asylums; that is a matter which comes under the cognisance of the Inspector of Lunatics whose functions and duties correspond almost exactly to those of paid medical commissioners in England or Scotland.

1091. Upon the assumption that we are to have these two distinct asylums, what in your opinion is the more desirable; one joint board or two separate boards of management?—In my opinion

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opinion it would be much more desirable to have distinct managements.

1092. Would you state to the Committee your reasons for arriving at that conclusion?—I look at the matter from the point of view of what is best for the patients. The difficulties connected with the admission and discharge of patients having a single board would be so great that it would be most objectionable. The system also of trying to manage two institutions by a single board has been tried elsewhere, and invariably found unsuccessful, and has been given up in several instances in this country.

1093. It has been tried in England?—Yes, it has been tried in England in connection with some of the borough and county asylums, and the tendency is now to separate, and for each borough to acquire its own asylum, and small towns like Ipswich, Derby, and Exeter have their borough asylums, distinct from the asylums of the county.

1094. So far as you know, is that tendency for each town to have its own asylum in England a growing tendency?—I understood it is.

1095. Then another suggestion has been made about transferring lunatics from one asylum to the other; can it be carried out, though there are two distinct boards of management?—It can be carried out by mutual arrangement, and there is a provision in the Bill for such a transference.

1096. For the purpose of what we may call the convalescent home, would a larger asylum like the one contemplated at Holywell, be suitable?—Yes, it would be suitable, but a small convalescent home, a *sanctuary* home, for a town like Belfast would tend more to the patient regaining his mental stability and tend towards convalescence. There would follow more benefit from a transference to a small convalescent home than to a comparatively large asylum like Holywell.

1097. The convalescent home required for Belfast would be a small *sanctuary* institution?—Yes, many of the lunatic asylums in England have convalescent homes attached to them now.

1098. Another suggestion has been made that you should classify the patients and put one class of patients in the Belfast Asylum and another in the Antrim Asylum; what would be your opinion as to that?—There is only one advantage in it; that would be economy. If the number of chronic lunatics in the district was so great that by transferring them to a new and comparatively cheap building, you would relieve the parent asylum of all chronic cases, and leave it for the treatment of acute cases, that would be a financial advantage, because the new building could be constructed much more cheaply; but having regard to the number of lunatics in the district, I am convinced that you would require two fully equipped asylums, one at Belfast and one at Holywell.

1099. Has the principle of classification of lunatics been tried in England?—It has been tried in England, and it was tried very extensively in Germany a generation ago; there they had two institutions, but it has been quite given up, and in the same way in England now. You are aware that all the asylums are intended for the reception of all classes. The very latest new asy-

Mr. J. D. Fitzgerald—continued.

lum, built at Cloosbury, is so; it has been built by the London County Council Lunacy Committee, and is intended for the reception of all classes.

1100. The arrangement which has been come to for the separation of Belfast from the county has been before your Board?—It was upon that understanding we agreed to purchase the land at Holywell.

1101. Your Board approved the plan?—Yes.

1102. It was at their suggestion that this Bill was promoted?—At the suggestion of our Board, upon the advice of the law officers of the Crown, that Bill was promoted.

1103. Some questions were asked of the last witness by an honourable Member of the Committee about patients in Belfast workhouse; the report referred to was a report by yourself and Dr. Courtenay?—Yes.

1104. Since that report was issued have you again visited the Belfast workhouse?—Yes, I have, six weeks ago.

1105. What state was it in then; had your suggestion been carried out to a large extent?—They had to some extent. I think the detention of lunatics in the workhouse is objectionable in itself, but no doubt they have adopted most of our suggestions.

Mr. Stenton.

1106. Have you any knowledge of this startling financial fact, that the city of Belfast is paying twice every year for 20 patients committed from the town portion of the city?—No, I have no knowledge.

1107. You have not any knowledge of that?—No.

1108. How is your board constituted?—Which board?

1109. The Board of Control?—The Board of Control have nothing to say to that; the Board of Control is nothing but a building board; its sole functions, defined by the statute, are to acquire land and to superintend the erection of buildings in connection with lunatic asylums. The management of asylums comes under the cognizance of the Inspectors of Lunacy.

1110. Who are Commissioners of Control?—Who are Commissioners of Control, Judge Holmes is chairman; General Sankey, the chairman of the Board of Public Works, is an *ex-officio* member, a statutory member, and myself, and my colleague, Dr. Courtenay, as we are inspectors of lunatics, are members, and intended to advise on lunacy accommodation; then Mr. Charles Kennedy, Mr. David Drummond, and Dr. Craib.

1111. The Board of Control has only the question of building and arrangement?—Entirely. It has nothing to say to management, but purely building.

1112. Two members of the board, yourself and Dr. Courtenay, have also another function?—Yes. We have no connection with the Board of Control except by being members of it. We are appointed as inspectors of lunatics under a different Act of Parliament, and our functions are apart from the Board of Control.

1113. In your capacity as Inspector of Lunacy, there is nothing connected with the administration

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tion of any asylums in Ireland foreign to your functions?—No.

1114. I understand the Commission lately recommended the appointment of a strong lunacy board for Ireland?—Yes.

1115. I understand your board rather agrees with that?—The inspectors agree. We think it is very important.

1116. You think that the existing statute ought to be repealed, and a general Act passed?—Yes.

1117. With some amendment?—Yes, with amendment.

1118. Among the amendments you think that power should be given to the Lord Lieutenant to make such a sub-division of the districts as is proposed by the present Bill but not allowed by the present law?—I do not understand the question.

1119. You think that in the general Bill there should be included a provision enabling the Lord Lieutenant to make such a sub-division of the districts as is proposed by this Bill, which the present law will not allow him to make?—I think there is such a recommendation. I am not sure.

1120. When we hear that the Lord Lieutenant is responsible for the condition that this new asylum may not be allowed except with a separate management of each, we I suppose may understand that that is really the condition laid down by the Board of Control?—The Lord Lieutenant acts under advice. I cannot anticipate what his decision will be. If you were going to manage two asylums by a single board of visitors, as you call them in England (Governors in Ireland), you would have your second asylum quite close to the parent asylum; you would not have it out of the town.

1121. The condition laid down by your board is one of separation of management, as I understand?—We acquired the new site upon that understanding; we should have bought a site quite close to the borough if we had intended to use the second asylum as an asylum for the reception of chronic and harmless patients.

1122. Then the only reason why you laid down the condition that there ought to be two boards is, that Holywell is 16 miles from Belfast. Is that so?—No; we think that there ought to be two fully equipped asylums, and Belfast is a very good lunacy site; it is large enough; and the county of Antrim is another good unit. Each of those districts requires its fully equipped asylum, and on the understanding that that was the wish of the local authority, we purchased Holywell with a view of erecting upon it a new fully equipped asylum, for the reception of all classes of patients.

1123. As to the size of the unit in Dublin, in the three counties, Dublin, Louth, and Wicklow, the city of Dublin and the town of Drogheda are all in one district?—Yes, I am aware of that.

1124. If the new site were nearer to Belfast you would not have thought it essential or important to separate the administration?—I should have thought it very important, because wherever it has been tried the system of working together has not been satisfactory. There is an instance

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in England, in the lunatic asylum which is only a few miles from Dorchester. The Lunacy Commissioners found such fault with its working that now they have consented to the increase of the parent asylum, and to do away with the ancillary or auxiliary asylum; that is the last example in England.

1125. Are you familiar with the administration of the Metropolitan Asylums Board?—Yes; it is managed by a general committee, and then each asylum has its separate sub-committee, which corresponds with our board.

1126. How many asylums does that board manage?—I do not know the exact number; a very large number of very large asylums.

1127. Is there any fault found with their administration?—None whatever; on the contrary, each asylum has its own board of visitors, or sub-committee.

1128. What difficulty would there be in applying the principle of a joint board for the two asylums of Belfast and Holywell?—You could not, I think, under the existing statute appoint two boards of governors; you might appoint a sub-committee, I suppose.

1129. By the present Bill you could authorise the board to appoint sub-committees for the two asylums?—Yes.

1130. Are you familiar with the practice in foreign countries; when you say that their system of joint administration has been found unsuccessful, do you refer only to England?—I was speaking about the classification of patients as referring to Germany.

1131. You spoke of England in connection with separate administration?—England and Scotland.

1132. You are not aware of any in any other country?—No.

1133. When you speak of the cases in which it has been found unsuccessful in England, you refer particularly to the case of Ipswich?—I would go much further in favour of the Belfast contention, because when you find Derby and Ipswich are very small as compared with Belfast, and these small boroughs require their separate asylums, it is a fair thing to say that Belfast may ask for it. Now take Newcastle-on-Tyne; there the city has got its asylum separate from the county, and the city asylum is in the county some way out.

1134. But of the 22 districts existing in Ireland, 14 represent one county and the towns in that county, and eight represent groups of counties, but there is no instance in Ireland at present either of a part of a county only or a city solely being an asylum district?—No.

1135. Therefore you propose, and in fact insist, by your condition that there shall be three districts created of a kind hitherto unknown, one and two consisting of part of the county, and the third of the city only?—It is the county of the city. Dublin can do it.

1136. Belfast is not a county of a city?—It is a county of a city, but, as you know better than I do, it has not got presenting power.

1137. At any rate, your Bill proposes to make three districts of a new type, two of them parts of the county, not the whole county, and the third

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third the city alone; there is no case in Ireland where either part of a county or a city alone has an asylum district?—No.

1138. Why do the Irish Government recommend, at a time when they propose to introduce a general Bill, a consolidating Bill, this amendment of the public law, or why do they propose that so singular and novel a change should be effected by a private Bill?—I cannot tell. I do not think the Irish Government have anything to say to it; and it arose in this way: It is admitted upon all hands that there should be further lunacy accommodation for the district, and the Board of Control and the local authorities were agreed that the best way to provide it was to separate the city from the county. We always were under the impression that there was no difficulty, that as Belfast had the same power as the little towns of Carrickfergus and Limerick, Waterford and Derry, there would be no legislation necessary, and proceeding upon that assumption we acquired the land. Then it was ascertained that Belfast had not the power of taking over the asylums; and after that, as you are aware, the law officers said the best way to meet the difficulty was to proceed by a private Bill.

Chairman.

1139. If Belfast had the power there would be no necessity for legislation, but you discovered in the course of the proceedings that Belfast had not got the power, and therefore it became necessary to come for an Act of Parliament?—Yes.

Mr. Sexton.

1140. Considering how much larger units there are, such as the county of the city of Cork and the Dublin districts, would not it be more convenient to introduce a public Bill, so that the Lord Lieutenant might deal with cases as they arose?—I think it is very necessary for fresh legislation about lunacy.

1141. You know in the Richmond Asylum there are twice as many patients as in Belfast?—Yes, nearly 1,500.

1142. And that if Dublin city wanted to be a separate district the city of Dublin would, owing to this peculiar mode that has been adopted, be put to the expense of introducing a private Bill?—No, they can do it without a private Bill. Even Carrickfergus can do it.

Chairman.

1143. And Londonderry?—It is every county of a city; Drogheda, Limerick, Cork, Waterford, Dublin, Kilkenny; any of these towns can do it.

Mr. Sexton.

1144. Separation can be accomplished anywhere else in Ireland except Belfast?—Any town that has presenting power can do it. With the consent of, and by an Order in Council, the Lord Lieutenant makes an Order separating it.

1145. It appears that the early proceedings of the Board of Works, with regard to the Belfast case, did not contemplate a separation, and it appears that the Board of Works submitted three alternative schemes to the Belfast Gover-

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nors, which did not contemplate separation?—It was the architect of the Board of Works, Mr. Owen.

1146. Have you any knowledge of the alternative schemes; did they come before you?—I have read his report; they have come before me.

1147. Could you have laid before the Committee the papers showing what the alternative schemes were. We have no information of them at present?—One of the alternative schemes was to separate; another to leave the district as it is, and build an asylum for chronic patients outside, but close to Belfast.

1148. Considering the great increase in the number of lunatics at Belfast since 1880, amounting almost to 50 per cent., and the comparatively small margin between the number of actual patients that there would be in the City Asylum, and the limits of accommodation in that asylum, do not you consider it probable that in a few years the limit of accommodation will be reached?—I anticipate that if Belfast grows, the present site will become so valuable that they will be glad to dispose of it, and will be able to build a new asylum outside the city to the very great advantage of the patients. I much prefer to see them a little further out.

1149. In that event do you think that the present asylum would have to be abandoned?—It would have to be abandoned. I would almost anticipate that the site would be so valuable that they could do it upon very advantageous terms, but that is merely conjecture.

1150. Do you think it preferable to arranging now that there might be two asylums under a Joint Board?—Yes, I would much prefer it.

1151. So that it would not be necessary to dispose of that site?—I should be very glad to see it. I do not like an asylum established close by factories.

1152. Under this scheme the city of Belfast will have to make extensive improvements in the asylum?—Whatever they are, they are very necessary in any case.

1153. Is it not rather awkward to contemplate?—We can only deal with the present generation.

1154. Is it not rather awkward to contemplate such elaborate extensions as those described by Mr. Owen, amounting to 18,000*l.*, when it may be anticipated that the whole thing will be given up in a few years?—I did not say two years.

1155. In a few years?—It all depends upon how much the town grows, and how much the value of the site grows; it would depend upon those two factors. If the town grows, and the population continues to increase, and if the land continues to rise in value, then, no doubt, it would be so after some years; I would not say 5, 10, 15, or 20 years, but probably a generation. It would be very advantageous to sell that site and build a new asylum.

1156. Meanwhile you will have costly extensions?—I would not do anything except what is necessary.

1157. If the House of Commons adopted the scheme, and the advice of Mr. Owen and the Grand Jury, and the occupiers and the other peti-

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tions is rejected, that is, if you do not allow the joint management to continue till the new asylum is in working order, then the cost of all these extensions and improvements would fall upon the city alone, otherwise they would fall upon the city and the county?—I think so.

1158. Then the city would be mulcted to the extent of 27,000 *l.* for the payment they made to the county to the county's advantage the value of the present site and buildings?—The present buildings have cost 92,000 *l.*, and that would be a fair proportion.

1159. Therefore, there would be a burden placed upon the city by this scheme of 45,000 *l.*, which, otherwise, would not fall upon it?—I have not worked out the figures.

1160. Have you observed that at the meeting of the governors of the 14th December last year, after they had heard your letter of the 3rd of December, in which you said that the separation was essential, the governors had so strong an opinion to the contrary that they adopted with only two dissentients a resolution in favour of combined management, and went on to resolve that it would be advantageous both to economy and to the patients, that the combined management should continue at any rate until it had had a fair trial?—I can see no advantage in continuing the management, because if you are to build an asylum for the county, it is far better for it to be done under the direction and approval of the county representatives, and to adapt the asylum as far as possible to the wants of the locality. I will illustrate what I mean. If you were going to build an asylum for a large city, you would have extensive workshops; if you were going to build it for a county where a great many of the patients are accustomed to agricultural labour, you would have more land.

1161. Upon the present Board of 22, there are six representatives of the county, and also ten gentlemen nominated by the Lord Lieutenant, who are supposed to be impartial between the city and the county?—Yes.

1162. Therefore you have 16 persons qualified out of 22 to consider the county interest fairly?—Yes; but if you are going to build a county asylum, it would be better to have it under the county.

1163. I think the county is very well protected under the present Board; do not you think so?—I think so.

Mr. Knox.

1164. Have you considered the question of disposing of the present asylum site at once, and constructing immediately an asylum which would be sufficient for the needs of the county and city, which would be capable of extension?—We should have considered that scheme if it had been put before us, but we understood that the wish of the locality was to have complete separation. If the different representatives had wished that arrangement no doubt we should have considered it.

1165. As a matter of lunacy administration apart from anything as to the wish of the locality, would not that be the most satisfactory arrangement?—On the contrary, the other arrange-

Mr. Knox—continued.

ment would be more satisfactory. It is admitted that it is better to keep the number of patients within limits; asylums of 400 to 600 patients are the very best asylums.

1166. The state of things in the Richmond Asylum is very serious?—Yes.

1167. Hitherto the Board of Control have taken no steps?—We have been trying to meet it. At the present moment, I am in treaty for a site for the erection of buildings.

1168. You have power to provide a site at once?—Yes, but that case is the exact opposite of this. The Dublin Corporation are willing not to separate. If we had the consent of the Corporation, we would be willing to adopt the course proposed here.

Chairman.

1169. They have already got a very large building?—Yes, they have got a very large building, and Dublin is so situated, I understand, that they have the great expense of a new main drainage scheme on hand, and they do not care to pay back to the counties very large sums of money; just at present they would not care to pay back the very large sums that the separation would entail.

1170. In Cork you have a good-sized asylum, have you not?—Not so large.

1171. For 500 patients?—They have built a very considerable addition, I am sorry to say.

1172. With your consent?—I was not a member of the Board then. I should never have consented.

1173. Have you examined the figures as to the number of lunatics in the various workhouses in County Antrim?—Yes, I have the returns; I can give the numbers.

1174. Have you noticed the fact that there is a very large proportion of these lunatics in Belfast workhouse. What is the explanation of that; is it that the other workhouses have very few lunatics?—Belfast is such an enormous union compared with others; the lunatics in the workhouses are not there as lunatics, but as paupers; they are not recognised as lunatics; their detention is illegal. Any lunatic who demands his discharge has a legal right to be discharged after three hours like any other pauper.

1175. As I understand, in Ballymena that is for exceptional reasons?—There are 100 patients under the special Acts who are legally detained; the other 42 lunatics are exactly in the same position as other lunatics I think.

1176. Leaving out the mere imbeciles (and there are separate lists as to each), the number of lunatics in the other workhouses in County Antrim amounts in the total to 53 according to the returns up to the end of 1890, whereas in Belfast, leaving out the imbeciles, there are 312?—Belfast is such an enormous union.

1177. The population of the union of Belfast is equal to the population of the other unions in County Antrim?—I need not say that you get a good many more vagrants and broken-down persons in a great city like Belfast.

1178. But six times as many in proportion to its population seems a very great difference?—If you take out the 100.

1179. I take

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1179. I take out the 100 from Ballymena?—I can give the figures. I have obtained the new lunacy figures from the census of 1891, and in the total districts of Antrim and Belfast there are 1,198 lunatics and 243 idiots and imbeciles.

1180. I take that figure from the Report of 1890. That, I do not think, has been published?—No, it has not been published.

1181. It is not materially different from what is in print?—No.

1182. Fifty-three we may take it from the unions of Antrim, Ballycastle, Ballymena, Ballymoney, Larne, and Lisburn, against 312 in Belfast?—There are more than 150 in Belfast; there are 452 lunatics in Belfast workhouse at the present time. There they provided separate buildings and a large building, and they have made provision for the reception of lunatics.

Mr. T. W. Russell.

1183. I suggested to Mr. Knox that in the rural parts of Antrim the guardians of imbeciles and harmless persons may be tempted to keep them at home, whereas in the city of Belfast it is impossible to do it; is not that the explanation?—That is a reasonable explanation.

Mr. Knox.

1184. Is it not on the other hand true that there are a large number of lunatics in the Belfast workhouse of a kind that would not be taken charge of in any other workhouse throughout the county?—Yes, a great many are who ought to be in the asylum, and indeed it is carried through all the workhouses. The whole system is wrong and illegal, as I have stated already.

1185. I do not suppose you can give any estimate of the number out of the 400 odd in Belfast workhouse who ought to be in the asylum?—I should say in round numbers, 200.

1186. About 200?—I think they all ought to be under legal detention.

1187. But simply for their own health there ought to be 200 more in the asylum?—I should think so; I should say 200, speaking roughly.

1188. If the 200 were added there would not be sufficient accommodation in the present Belfast Asylum?—The Belfast union extends a long way outside. I think that even with the new asylum from my view, looking at the point of view of what would be best for these poor people, and I think of nothing else, eventually in addition to this asylum you must have some provision for the imbeciles and idiots. Some provision ought to be made for the poor creatures detained in the workhouse; they ought to be kindly and comfortably treated. Their condition in the Belfast workhouse is approaching to inhumanity.

1189. Is the Belfast workhouse any exception?—It is as regards the provision of separate buildings, but in some respects its condition is not satisfactory in my opinion, and I have stated so in the official report.

Mr. Hincks.

1190. You think that the best way to provide accommodation for the people in the workhouses would be to have institutions separate from the

Mr. Hincks—continued.

asylums?—Yes; separate from the asylums and workhouses.

1191. Therefore your impression is that there may now be, or eventually be, no asylum accommodation; and Belfast could be best relieved by the establishment of institutions of this sort?—We have no institutions for imbeciles or idiots, and the result is that these poor creatures are crowded into the asylums and workhouses.

1192. You give that as your opinion as a man having studied the subject?—Yes.

1193. This increased accommodation at Belfast is necessary in any case, whether the Bill passes or not?—Yes.

1194. And immediately necessary?—Yes.

1195. And it would be carried out at the expense of the city of Belfast; the county Antrim would not have any costs thrown upon it if the Bill were passed?—Not if the Bill were passed.

Sir Edward Harland.

1196. That money would otherwise have to be expended by the county?—Otherwise it would be divided between the county and the city.

Chairman.

1197. Have you made an estimate of what the new asylum would cost?—No; we have made no estimate of the expenses. The architect of Belfast, Mr. Lanyon, the chief architect to the representatives of Antrim, prepared rough plans, and I think some idea was given that it would cost, if the accommodation were for 100 patients, with additional accommodation for 500, with a view to further extension, 60,000 £ or 65,000 £.

1198. Besides the land?—The land cost 5,000 £.

1199. Then under the Bill the whole of that will fall upon the county Antrim?—Yes; but the county of Antrim may recover from the city the sum of 27,000 £, and they escape also paying half the cost of any additions or extensions that are required to the present asylum at Belfast, and also half the cost of the building of the new asylum.

1200. As I understand, under the Bill, supposing this Bill passes into law, the city of Belfast will have to give 27,000 £ to the county Antrim towards the erection of the new asylum, and will have to spend 18,000 £ in the extension of the present asylum; that would come to 45,000 £. On the other hand, the county Antrim will have to pay 5,000 £ for the land, 60,000 £ for the new building, and receive 27,000 £. If you work it out it comes to 41,500 £, against 45,000 £ upon the part of the city of Belfast?—Yes, that is very approximate.

1201. There is no very great difference, therefore?—No.

Mr. Hincks.

1202. With regard to the space, how many patients should there be to an acre; we are told 10 patients to each acre?—Our views are looked upon in Ireland as being extreme, but we think it is not sufficient.

Mr. Knox.

1203. What do you think is right?—I know the Scotch asylums have practically, as nearly as possible,

5 May 1892.]

Dr. G. P. O'FARRELL.

[Continued.]

Mr. Kear—continued.

possible, an acre for every patient; that is pushing it to a very great extent; but in Ireland you have an acre to every six patients.

Mr. Sexton.

1204. You have in Dublin only an acre for 25 patients?—We have not got as much.

1205. You have 54 acres, and 1,500 patients?—Yes; 1,500 patients.

Mr. Kear.

1206. As to the workhouse lunatics, there is a distinction made in the Return between the idiots and the other lunatics in workhouses?—Yes.

1207. And of those certified as lunatics you think 200 ought to be in the ordinary asylum?—It would be advantageous for about at least 200 to be in the asylum. I heard you read about a little girl who was under restraint; that child is now in the asylum, and she has been totally relieved from restraint, and is wandering about the asylum.

1208. There are many others who might be improved in health, no doubt, in that way?—Yes.

Sir Edward Harland.

1209. That would be in the event of there only being two establishments; in one case the workhouse and in the other the asylum, speaking of the 200 that you think ought to be transferred from the workhouse. Would you transfer those 200 from the workhouse to such an asylum as we now discuss, or would you prefer that they should go into a separate and cheaper class of building for a sort of intermediate treatment?—I prefer that the imbeciles and chronic cases should go into the asylum.

Mr. Kear.

1210. Even the ones put down as lunatics?—Yes.

Mr. Sexton.

1211. At present the city pays half the cost?—The Government contribution is a sum not exceeding 4s. a week; it may be less.

1212. After that the city and county share equally?—I believe they do.

1213. But under this new scheme the city would pay for all its own lunatics?—Under this new scheme the city would pay for all its own lunatics.

1214. Considering the population, the more rapid the increase of population the more the tendency will be for the city lunatics to increase more rapidly than the county, including vagrants who drift from the county into the city; will not the city have to pay for them?—It would depend very much upon the way in which they obtained admission.

1215. I put the general point?—Yes, it would to a certain extent.

1216. Take a rural community like Antrim, and a large community like Belfast, will not the semi-vagrants drift into the city and be committed from the city and be charged to the city?—No doubt there is a tendency of that kind.

Mr. J. D. Fitzgerald.

1217. I want this to be quite clear; the Belfast workhouse is for the Belfast union?—Yes.

1218. It takes in a large district outside Belfast?—Yes, it takes in a district outside Belfast.

1219. It takes in a considerable amount of County Down?—No, I am not aware of that.

1220. You have been asked questions about Dublin; I gather that one of the suggestions made with regard to Dublin was that the City of Dublin should be constituted a separate district just as this Bill proposes here?—I should like to see it done.

1221. If the Corporation of Dublin were willing it could be done by an Order in Council?

—If the Corporation of Dublin were willing, and the county were also willing, it could be done; in fact, it could be done against their will by an Order in Council.

Mr. Sexton.

1222. Have they said that they are unwilling?—Yes, I think they have.

1223. By resolution?—Not by formal resolution.

The Witness withdrawn.

Mr. J. D. Fitzgerald.] I have no further evidence to call. The honourable Member for Belfast at the last meeting asked for some correspondence. I have all the correspondence that we can obtain, and I propose to hand it to the shorthand writer for it to appear upon the notes.

The following correspondence was handed in:—

Town Hall, Belfast,

5 April 1889.

Dear Sir,

I ANNEX a copy of resolution passed by the Council at their meeting yesterday previous to the receipt of your letter with copy of resolution passed by County Antrim Grand Jury, the terms of which the Council were not aware of.

Yours, &c.

(signed) Samuel Black,

Town Clerk.

A. H. Coates, Esq.,

County Court House.

Note.—The Resolution referred to was the printed one of 4th April 1889.

Town Hall, Belfast.

24 March 1890.

Sir,

I AM instructed by the General Purposes Committee of the Town Council to forward you the annexed copy of a resolution passed by them at their meeting to-day.

I am, &c.

(signed) Samuel Black,

Town Clerk.

A. S. Merrick, Esq., M.D.

Note.—The Resolution referred to was the printed one of 24th March 1890.

5 May 1892.

*Re Increased Asylum Accommodation.*Town Hall, Belfast,
15 July 1890.

Dear Sir,
I AM in receipt of your letter of yesterday and copies report referred to in it, which I will lay before the committee at their next meeting.

Yours, &c.
(signed) Samuel Black,
Town Clerk.

A. S. Merrick, Esq., M.D.,
Belfast Lunatic Asylum.

District Lunatic Asylum, Belfast,
12 August 1890.

Dear Sir,

I AM directed by the board of governors to submit, for the information of the city council, copy of a resolution adopted at the board meeting held 11th instant. Proposed by Rev. Dr. Johnston; seconded by Henry Matier, Esq., J.P., and adopted.

"That to provide the increased accommodation the board of governors are of opinion that the best method of acquiring same will be by the adoption of Mr. Owen's Report, dated 18th March 1890, so far only as relates to the question of an asylum which may ultimately become the property of the county Antrim, in the event of separation from the city of Belfast being mutually agreed upon."

Also the Board made an order directing that the following advertisement for land should be inserted in the Belfast local papers:—

"Proposed New Lunatic Asylum for County Antrim and City of Belfast.

"Wanted a site situated in county Antrim, 60 to 100 acres, within a convenient distance of a railway station. Proposals to be sent to Chairman of Board of Governors, Lunatic Asylum, Belfast, not later than 6th September 1890."

I am, &c.

(signed) Alex. Stewart Merrick, M.D.,
Resident Medical Superintendent.

Samuel Black, Esq., Town Clerk,
Town Hall, Belfast.

Town Hall, Belfast,
15 August 1890.

Dear Sir,
REFERRING to your letter of the 12th instant, I shall be obliged by your letting me have if convenient a few more copies of Mr. Owen's Report for circulation among the members of the council. I am printing your letter for this purpose, and if you can let me have any 25 copies of the Report I shall be obliged.

Yours, &c.
(signed) Samuel Black,
Town Clerk.

A. S. Merrick, Esq., M.D.,
Belfast Lunatic Asylum.

Asylum Accommodation.

Town Hall, Belfast,
7 January 1891.

Sirs,
By direction of the council I annex hereto copy resolutions passed at a meeting of the council in committee held this day.

I am, &c.
(signed) Samuel Black,
Town Clerk.

The Board of Governors of the
Belfast Lunatic Asylum.

Note.—The resolutions referred to were the printed ones of 7th January 1891.

Secretary's Office,
County Antrim Grand Jury,
County Court House, Belfast,
19 March 1891.

Sir,
I AM directed by the Grand Jury to enclose copy of resolution passed by them at the Spring Assizes 1891, with reference to the Lunatic asylum.

I am, &c.
(signed) Arthur Hill Coates,
Secretary.

The Town Clerk, Belfast.

Lunatic Asylum.

Secretary's Office,
County Antrim Grand Jury,
County Court House, Belfast,
14 July 1891.

Sir,
I beg to enclose copy of resolutions passed by Grand Jury at Summer Assizes 1891.

Yours, &c.
(signed) Arthur Hill Coates,
Secretary.

The Town Clerk, Belfast.

Lunatic Asylum.

Town Hall, Belfast,
17 July 1891.

Dear Sir,
I beg to acknowledge the receipt of your letter of 14th instant, enclosing copy of resolutions passed by the Grand Jury at the Summer Assizes.

Yours, &c.
(signed) Samuel Black,
Town Clerk.

A. H. Coates, Esq., Secretary,
County Antrim Grand Jury.

Re Asylum.

Town Hall, Belfast,
17 July 1891.

Dear Sir,
I AM in receipt of your letter of 16th instant, and have to say in reply that, having carefully read the general Acts relating to lunatic asylums, I was of opinion, and so advised the corporation, that they only apply to an area where there is a grand jury, and that as Belfast is not a county

5 May 1892.

county of a city the provisions of the Acts as to the separation of districts do not apply to it.

I have also to point out that these Acts were passed many years ago, and that the terms of separation of districts, as provided by them, viz.: that a county separating should be repaid all it had contributed to the buildings, are neither fair nor equitable at the present day in respect of old buildings erected many years ago.

What the corporation are prepared to agree to is that they should take over the old asylum, paying to the county its fair proportion of its present value, net of what it may have cost.

Fresh legislation would be required to effect this, and to enable the corporation to raise the necessary funds, if such is to take place, the provisions will require careful consideration.

And I'll be happy to confer or communicate with you at any time thereon.

I am, &c.
(signed) Samuel Black,
Town Clerk.

W. M. Lane, Esq.,
Office of Public Works,
Custom House, Dublin.

Belfast District Asylum.

Law Department,
Office of Public Works, Custom House,
Dublin, 21 July 1891.

Dear Sir,

I AM in receipt of your letter of 17th instant, for which I am obliged. I presume Belfast is part of a county. Under the 18 & 19 Vict. c. 103, the Lord Lieutenant fixes the equitable amount to be repaid. I think this new district can be constituted, and the separation made, but to enable the corporation to levy the equitable amount, and maintain the asylum afterwards, fresh legislation, having regard to the provisions of your Act, 28 & 29 Vict. c. 183, will be necessary. I recommend the Board of Control to take the opinion of the law officers, and will let you know the result. Meantime, will you please say if reference is necessary to any other local Act save the one quoted.

Yours, &c.
(signed) W. M. Lane.
S. Black, Esq.,
City Hall, Belfast.

Belfast District Asylum.

Town Hall, Belfast,
23 July 1891.

Dear Sir,

I HAVE received yours of the 21st instant. For some purposes Belfast is part of the county of Antrim, but I do not see how the Lord Lieutenant could establish a separate asylum for part of a county. In addition to the local Act you refer to there is the one of 31 & 32 Vict. c. 117.

Yours, &c.
(signed) Samuel Black,
Town Clerk.

W. M. Lane, Esq.,
Office of Public Works, Dublin.

Belfast District Lunatic Asylum and proposed separate Asylum for the County of Antrim, exclusive of the City of Belfast.

Office of Control, &c. of
Lunatic Asylums, Custom House,
Dublin, 15 October 1891.

Sir,

REFERRING to the above, which has been the subject of discussion and resolutions by your Corporation, the Board of Governors and the Grand Jury of the County of Antrim, resulting in an unanimous decision that increased asylum accommodation is indispensable, and so far as the governors are concerned, declaring that it is desirable to have a separate asylum for the county of Antrim independent of the city of Belfast, I am directed by the Board of Control to inform you that they are advised by the law officers that "under 1 & 2 Geo. 4, c. 33, the Statute conferring the power on the Lord Lieutenant to form districts for lunatic asylums, the district is to be composed of one or more counties, including in that counties of cities or counties of towns, and not parts of counties only, that it is quite obvious from the legislation that the constituent units forming a district embracing more than one county must have separate taxing and presenting bodies, and has no application to such a case as Belfast, which, although made a county of a city by Charter, has no separate taxing and presenting body connected with it; that therefore, as the city of Belfast is still a portion of the County of Antrim, the Lord Lieutenant in Council cannot make an Order separating the rest of the county of Antrim from the city of Belfast, and constituting each a separate district without legislation." If separation is desired, in their opinion also "the Bill should be a private one, and be promoted by the Corporation of Belfast." They have also advised that pending this legislation "the erection of a new asylum at Holywell may be proceeded with under 7 Geo. 4, c. 14, s. 1, as an additional asylum for the present Belfast district."

The Board of Control have been requested by the governors of the present asylum to inform your Corporation of the law officers' opinion, and to request that they will at once consider whether they are prepared to promote a Bill for the purpose of having the city of Belfast and the rest of the county of Antrim, including Carrickfergus, made into separate districts. Time is an important element, and the board will be glad if the subject of this letter will receive the earliest consideration possible.

I am, &c.
(signed) T. J. Tiedley,
pro Secretary.

The Town Clerk,
Town Hall, Belfast.

5 May 1892.

Belfast District Asylum.

Town Hall, Belfast,
16 October 1891.

Sir,
I HAVE to acknowledge receipt of your letter of the 15th instant, which will be laid before the Council at an early date.

I am, &c.
(signed) Samuel Black,
Town Clerk.

The Secretary,
Board of Control.

Belfast Lunatic Asylum.

Town Hall, Belfast,
19 October 1891.

Dear Sir,
THE Committee of the Corporation have instructed me to take the necessary steps to promote a Bill for the separation of the city from the county and other matters. I have written to the secretary of the Board of Control to this effect. So soon as my arrangements are perfected I will communicate with you and have a conference as to the draft Bill.

Truly yours,
(signed) Samuel Black,
Town Clerk.

W. M. Lane, Esq.

Belfast Lunatic Asylum.

Town Hall, Belfast,
19 October 1891.

Sir,
REFERRING to your letter of the 15th instant, I have now to say that the Council in Committee have instructed me to take the necessary steps to promote a Bill for the purposes referred to, and other matters, and when my arrangements to do so are perfected I will communicate further with you hereon.

I am, &c.
(signed) Samuel Black,
Town Clerk.

The Secretary,
Board of Control.

Belfast District Lunatic Asylum.

EXTRACT from Minutes of Proceedings of the Board of Governors at their Meeting held Monday, 9th November 1891.

H. H. McNeill, Esq., D.L., gave notice that at the ensuing meeting of governors he will move :—
"That the resolution of the 10th March 1890, relative to the separation of the asylum district, be rescinded, and to move a resolution in favour of combined management of old and new asylums under this board."

Belfast Lunatic Asylum.

New Asylum at Holywell, 16,580/91.

Office of the Board of Control, &c., of
Lunatic Asylums.Custom House, Dublin,
3 December 1891.

Sir,
I AM directed by the Board of Control to forward, for the information of the Corporation of Belfast the enclosed copy of a notice of motion handed in by Mr. H. H. McNeill, D.L., at a meeting of the Governors of the Belfast Asylum, held on the 9th ultimo, proposing to rescind the resolution of the 10th March 1890 (copy enclosed), relative to the separation of the asylum district, and to move a resolution to combine management of old and new asylums under the existing board.

I am, &c.
(signed) T. J. Tudeley,
pro Secretary.

The Town Clerk,
Town Hall, Belfast.

Belfast Lunatic Asylum.

New Asylum at Holywell, 16,580/91.

Town Hall, Belfast,
4 December 1891.

Sir,
I HAVE received your letter of the 3rd instant, and have to say, on behalf of the Corporation, that they are surprised at the action of Mr. H. H. McNeill in this matter, and that they decline to be bound by it.

The necessary steps to promote a Bill for the separation have been taken, and I now enclose for the information of the Board of Control, &c., first proof of the draft Bill.

I am, &c.
(signed) Samuel Black,
Town Clerk.

The Secretary,
Board of Control.

Belfast District Lunatic Asylum.

Town Hall, Belfast,
4 December 1891.

Dear Sir,
I HAVE now got the first proof of the draft Bill, and enclose you copy, and hope you will find it correct so far as the Board of Control is concerned.

Yours, &c.
(signed) Samuel Black,
Town Clerk.

W. M. Lane, Esq.,
Office of Public Works, Dublin.

Grand Jury Secretary's Office,
Court House, Downpatrick,
5 December 1891.

Dear Sir,
YOUR city council are promoting a Bill which proposes to modify in some details the existing financial arrangements between the county of Down and the city of Belfast.

H

May

5 May 1892.

May I request you to be so good as to let me have a print at your earliest convenience

Yours, &c.
(signed) *R. Gordon,*
Secretary, Grand Jury.

Samuel Black, Esq.,
Town Hall, Belfast.

motions, that it would in any way affect your proceeding with the Bill.

Yours, &c.
(signed) *W. M. Lane.*

Samuel Black, Esq.,
Town Hall, Belfast.

Re Bill by Corporation of Belfast for separate Asylum.

Office of Public Works,
Custom House, Dublin,
7 December 1891.

Dear Sir,

I AM in receipt of your letter of the 4th instant, enclosing copy Bill which I shall go over at the earliest possible moment and write you thereon. There seemed to be a feeling amongst the governors at the meeting on the 12th of October last, that the city should have power to send and the county to receive patients in case the city asylum became too crowded or *vice versa*, the asylum sending to the other of course to pay all charges. I do not know whether the Bill covers this or whether the Corporation would agree to it.

Yours, &c.
(signed) *W. M. Lane.*

S. Black, Esq.,
Town Hall, Belfast.

Belfast Lunatic Asylum.

Town Hall, Belfast,
7 December 1891.

Dear Sir,
I AM in receipt of your letter, and enclose you herewith two copies of the draft Bill, but of which the provisions have not yet been finally revised.

Faithfully, &c.
(signed) *Samuel Black,*
Town Clerk.

R. Gordon, Esq.,
Secretary of Grand Jury,
Court House, Downpatrick.

Belfast District Lunatic Asylum Bill.

Law Department, Office
of Public Works, Custom House,
Dublin, 9 December 1891.

Dear Sir,

REFERRING to yours of the 4th instant, with the first proof of this draft Bill, I have gone over same and reported to my Board that I see no objection to the provisions contained in it so far as they are concerned, save that it may be desirable to provide that under certain circumstances the city would have the right to (as it were) boarding-out patients in the county asylum and *vice versa*. I do not know what may happen at the next meeting of the governors in reference to Mr. McNeill's motion, and I do not think that, even if he succeeds in carrying his

Belfast District Lunatic Asylum Bill.

Town Hall, Belfast,
14 December 1891.

Dear Sir,
I HAVE received your note of the 9th instant on my return to town to-day, and will have pleasure in adopting your suggestion.

Yours, &c.
(signed) *Samuel Black.*
Town Clerk.

W. M. Lane, Esq.,
Office of Public Works,
Custom House, Dublin.

District Lunatic Asylum,

Dear Sir, Belfast, 18 December 1891.

I HAVE to thank you for the copy of Corporation Lunacy Bill you kindly sent for the information of the Governors.

Yours, &c.
(signed) *Alex. Stewart Merrick, M.D.,*
Resident Medical Superintendent.

Belfast Lunatic Asylum, 18,374/91.

Office of the Board of Control, &c.
of Lunatic Asylums, Custom House,
Dublin, 31 December 1891.

Sir,

REFERRING to your letter of the 4th instant, I am directed to forward herewith an extract from the Minutes of the Proceedings of the Board of Governors of the Belfast Lunatic Asylum at their meeting held on the 14th instant, and to request the Belfast Corporation will be good enough to favour the Board of Control with their opinion on the economy and advantage of what the governors now suggest.

I am, &c.
(signed) *T. J. Tisdley,*
pro Secretary.

The Town Clerk,
Town Hall, Belfast.

Town Hall, Belfast,
1 January 1892.

Sir,
I NEED to acknowledge receipt of your letter of 31st ultimo, with its enclosures, which will be laid before the Committee of the Corporation at their next meeting.

I am, &c.
(signed) *Samuel Black,*
Town Clerk.

The Secretary,
Board of Control, Dublin.

5 May 1892.

Belfast Lunatic Asylums, &c. Bill.

Grand Jury Secretary's Office,
Downpatrick,

Dear Sir, 31 December 1891.

THE Committee of the county Down Grand Jury had a meeting a few days since, when a copy of this Bill was laid before them.

By the Bill it is proposed that the contributions heretofore paid by Belfast to the maintenance of the County Down Infirmary and salaries of surgeon and officers thereof, also to the salaries of county Treasurer and Secretary of the county Down, shall no longer be made.

At the time of the passing of the Belfast Borough Act, 1868, an arrangement as to those contributions was agreed on between those representing the county of Down and those representing Belfast, the particulars whereof you will, no doubt, find amongst the papers relating to the proceedings when the Bill was being promoted; at all events they are embodied in the Act.

I would be glad to know if you have any notes of the details on which these arrangements were based.

The Committee requested me to enquire from you as to what circumstances have arisen since the Act of 1868 was passed that the Corporation allege as a reason for altering the arrangements arrived by the Act of 1868.

I shall be glad to hear from you upon the subject so that I may submit your reply to an adjourned meeting of the Committee, and perhaps you would at the same time let me have a copy of the published notice of the present Bill.

The Committee have not yet considered the other matters proposed to be dealt with by the Bill.

Yours, &c.

(signed) Robert Gordon.

Samuel Black, Esq.,

Town Clerk, Belfast.

Belfast Lunatic Asylums Bill.

Town Hall, Belfast,
1 January 1892.

Dear Sir,

I have to acknowledge receipt of your letter of 31st ultimo, which will be laid before the Committee of the Corporation at their next meeting.

I have no copy of the notice of the Bill except the vouchers for publication, and, therefore, am unable to send you one.

Yours, &c.

(signed) Samuel Black.

Town Clerk.

Robert Gordon, Esq.,

Secretary of Grand Jury, Downpatrick.

Belfast Lunatic Asylums Bill.

Town Hall, Belfast,
5 January 1892.

Dear Sir,

REFERRING to previous correspondence and your letter of 31st ultimo, I have now to say that the Act of 1868 was passed before I became solicitor to the corporation or town clerk, and that I have not found particulars of any arrange-

ment at that time between those representing Belfast and the corporation save what appears by the Act itself.

Since it was passed the relative positions of the county and city have changed very much, and the circumstances are now entirely different. The garrds have been taken over by the Government. No commitals are made from the city to reformatories or industrial schools, and the lunatics from the city are sent to the Belfast Asylum; whilst owing to the rapid increase in the portion of the city situate in county Down the valuation of that part has increased from being about one-thirtieth to one-eighth of that of the entire county. The city has therefore been contributing a considerable proportion of certain county expenditure in which it has no interest, and from the future payments of which in all fairness it is entitled to be relieved.

Yours, &c.

(signed)

Samuel Black,

Robert Gordon, Esq.,

Town Clerk.

Secretary of Grand Jury,

Downpatrick.

Belfast Lunatic Asylum.

Town Hall, Belfast,
5 January 1892.

Sir,

REFERRING to previous correspondence I have now to inform you that your letter of 31st ultimo has been under consideration of the committee of the corporation in charge of the Bill, who have instructed me to reply thereto. They are unable to see that any economy or advantage would arise from the joint management of two asylums so far distant from each other as Holywell and Belfast would be, and acquiring of necessity a separate and complete staff of officers for each. The Belfast asylum possesses many advantages for patients belonging to the city, and its grounds are ample to give outside occupation to those of them who would remain after the separation takes place, also for the erection of suitable workshops for such of them as might be permitted to work therein.

Although it would appear from the extract from the minutes of the board of governors of 14th December furnished to me, that Mr. Young's resolution was passed unanimously, I am informed that the two representatives of the city, who were recorded as being present at the meeting, had left before that resolution was proposed.

I may also observe that it merely suggests the postponement of the separation until after the new asylum shall have been built; and the Committee consider it more desirable that the question should be dealt with now rather than then; moreover, provision is made in the Bill for the county patients being maintained in the present asylum until the new one is ready to receive them.

The Committee fail to see why the representatives of the county on the board of governors should have so completely changed their views in respect to the separation, which they themselves were the first to suggest, and only to do so after they had obtained, on the understanding

5 May 1892.

that it would take place the sanction of his Excellency the Lord Lieutenant to the erection of the new asylum.

Having regard to all the circumstances, the Committee believe the position taken by the Council in the matter to be the proper and more desirable one, and are of opinion that the Bill should be proceeded with, and they respectfully request the sanction of the Board of Control to its provisions.

I am, &c.
(signed) Samuel Black,
The Secretary, Town Clerk.
Board of Control,
Custom House, Dublin.

Belfast Lunatic Asylum, 30392.

Office of the Board of Control, &c. of
Lunatic Asylums,

Custom House, Dublin,
12 January 1892.

Sir,
With reference to previous correspondence in regard to the promotion of a Bill to transfer the Belfast Lunatic Asylum to the city, &c., I am directed by the Board of Control to inform you that they will not offer any opposition to the Bill referred to.

I am, &c.
(signed) T. J. Tully,
To the Town Clerk, Secretary.
Belfast.

Belfast District Lunatic Asylum Bill.

Law Department,
Office of Public Works,
Custom House, Dublin,
5 February 1892.

Dear Sir,
REFERRING to my letter of the 9th December last, the Bill has been before the Board of Control and the Clerk of the Privy Council. With

reference to Clause 3, Sub-clause 3, so far as the Board of Control are concerned, they are advised they cannot and should not allow the new district to have different powers or rights from any of the other districts, and that the asylum itself, together with the lands, must remain the property of the Board of Control. A slight alteration of the sub-clause referred to will effect this, and I trust there will be no objection to it. With regard to Clause 6, Sub-clause 3, his Excellency is advised that same is in some degree inconsistent with 18 & 19 Vict. c. 109, s. 4, and such be modified accordingly. I shall be glad to hear from you at your earliest convenience on these two points.

Yours, &c.
(signed) W. M. Lane.
Samuel Black, Esq.,
Town Hall, Belfast.

Belfast Lunatic Asylum Bill.

Dear Sir,
17 February 1892.
I AM in receipt of your letter of 6th instant. So far as the Board of Control are concerned, the omission in line "16," Clause 3, Sub-clause (3), of the words "held or," and in the 20th and 21st lines of same clause of the words, "the Board of Control or," as the case may be; and the substitution in Clause 3, Sub-clause 1, lines 7 and 8, of "save so far as the provisions thereof are expressly varied by this Act," for the text would suffice. I have asked the chief Crown solicitors to send in such clause as regards the Privy Council as the law officers may direct.

Yours, &c.
(signed) W. M. Lane.
S. Black, Esq.,
Town Hall, Belfast."

Monday, 9th May 1892.

MEMBERS PRESENT:

Mr. Arthur Elliot.
Sir Edward Harland.
Mr. Hincks.
Mr. Knox.

Mr. Shaw-Lefevre.
Mr. T. W. Russell.
Mr. Sexton.

THE RIGHT HONOURABLE GEORGE JOHN SHAW-LEFEVRE, IN THE CHAIR.

Mr. J. D. Fitzgerald.] Before you begin, Sir, might I call attention to an omission in the evidence at page 78 in the printed evidence, at Question 515. I was examining Dr. O. Farrell, and my examination of Dr. O. Farrell ends at

Question 515, and I think at Question 516 the honourable Member for West Belfast commenced his examination. His name is omitted, that is all.

Mr. CHARLES M'LORINAN, sworn; Examined by Mr. Sexton.

Mr. Sexton.

1224. ARE you engaged in trade at Belfast?
—Yes.

1225. You are a ratepayer and Burgess of Belfast?—Yes.

1226. You have resided in Belfast for 60 years, I believe?—Yes.

1227. Are you one of the signers of the Catholic Petition against this Bill?—I am.

1228. It has been suggested here that the Catholic Petition does not accurately represent the views of the Catholic inhabitants of Belfast with regard to this Bill; do you believe that it does?—I believe that it does.

1229. Was the meeting which considered the question called by public advertisement?—It was.

1230. Was it attended by the leading Catholics of Belfast?—The notice was short. There were between 50 and 100 I should say, and many of them the most respectable Catholics in the town.

1231. The meeting was called, you say, upon short notice. You would say that it was at least as important a meeting as the meeting which supported the Bill?—I never heard of the meeting supporting the Bill until I read the evidence given here.

1232. The persons present at the meeting were unanimous, were they not, in opposition to the Bill?—They were.

1233. Do you represent to the Committee that the petition expresses faithfully the views in regard to the Bill, of the Catholic community of Belfast?—Yes.

1234. Are you aware that by this Bill the corporation seek power, first, to practically control the government of the City Asylum; and,
228.

Mr. Sexton—continued.

secondly, to take the power of the purse in regard to paying for children committed to the industrial schools in the city?—I am aware of that.

1235. Speaking as a member of the committee appointed to represent the Catholics you are unwilling that the corporation should have these powers?—I am.

1236. Your unwillingness, as I understand, arises partly from the constitution of the corporation itself and partly from its action?—It does.

1237. I believe you and some others have taken some pains to prepare a memorandum which shows the condition of the Catholics in Belfast in regard to the public boards and public employments?—I have.

1238. Is this a copy of it (*handing a paper to the Witness*)?—Yes.

1239. Your argument is that, because of the misrepresented condition of the Catholics in Belfast and the unfair treatment they receive from the representative bodies there, it is not just nor safe that this corporation should receive fresh powers in regard to Catholics, unless Parliament inserts in the Bill special provision for the protection of their interests. Would you give the Committee a general view of the effect of the memorandum. First let me ask you: have persons acquainted with Belfast made those inquiries, and to your knowledge and belief is the memorandum accurate?—Yes.

Mr. Pope.] Have you copies of that memorandum?—

Mr. Sexton.

1240. I have only this one. It will be handed in, and you will see. (*To the Witness*.) Out of the
11 3

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Mr. M'LORINAN.

[Continued.]

Mr. Sexton—continued.

the 40 members of the Belfast Corporation is there any Catholic?—No.

1241. Out of the 82 of their principal officials receiving salaries of over 16,000 £ a year are there only two Catholics who receive about 200 £ a year?—Only two Catholics.

1242. Passing to the Harbour Board, is there any Catholic on the Harbour Board?—No.

1243. How many members are there on that board?—Twenty-two.

1244. Does any Catholic hold any important post in their employment?—No.

1245. As to the Water Board, how many Catholics are on that Board?—One.

1246. Out of how many members?—Sixteen members.

1247. Is there any important Catholic official under that Board?—No, there is not.

1248. Passing to the Board of Guardians, of which there are 44 members, how many Catholics are there?—None.

1249. Is there not one *ex-officio*?—Yes, *ex-officio*, but not elected.

1250. Therefore that one could not be kept out by any local action?—No, he could not be kept out.

1251. Out of about one hundred employés of the Board of Guardians, as summarised in this paper, are there only three Catholics?—Yes.

1252. Including two teachers in workhouse, and one nurse?—Yes.

1253. Are you aware that when the Catholic chaplain brought the Board of Guardians to appoint a second Catholic nurse out of the 42, in order to warn them of the need of religious ministrations in case of dying inmates, they neglected to take any notice of his letter for a week, and then unanimously rejected his prayer?—Yes, I am aware of that.

1254. Then is there any other Board mentioned in that memorandum?—The Asylum Board.

1255. On the Asylum Board there are 22 members, out of which number there are three Catholics?—Yes.

1256. That is a singular difference from the other Boards?—Yes.

1257. I believe in fact these three Catholics are there because the Lord Lieutenant has the power of appointment upon the Asylum Board which he has upon no other?—Exactly.

1258. Through the action of the Viceroy over the head of local action, these three Catholics have been appointed on this Board?—Yes.

1259. With regard to the employés of the asylum I believe there are something like eight Catholic attendants out of 68?—Yes, eight.

1260. I will ask you to hand in that memorandum.—Yes.

Mr. Sexton—continued.

PUBLIC BOARDS IN BELFAST.

HOW THE CATHOLICS ARE TREATED.

The Catholic population of Belfast is over 70,000, yet see the composition of the Corporation and its employés in the following list, which, however, necessarily omits information as to many minor employés, weekly wage earners, apprentices, &c. There are also several employés whose names do not appear in the papers issued by the Corporation, from which alone these lists are compiled; but any errors in the list are omissions, not additions. Information is also added showing composition of other boards and employés, the same system of exclusion of Catholics being observed on all of them.

BELFAST CORPORATION.

	Pro- testant.	Catholic	Annual Salary.
			£.
Aldermen (10)	10	—	—
Councillors (30)	30	—	—
Town Clerk	1	—	2,500
Accountant	1	—	600
Clerks and assistants to town clerk and ac- countant	14	—	1,680
Town surveyor	1	—	800
Eight assistants (8)	8	—	1,160
Superintendent fire brigade and street inspectors (4) . .	3	1	720
Law. Petty sessions solic- itors, &c. (2)	2	—	350
Health superintendent (1) .	1	—	500
Assistants, &c. (3)	3	—	550
Clerk of markets (1) . . .	1	—	250
Assistant inspectors (2) . .	1	1	290
Manager gas works	1	—	1,000
Assistants and clerks (46) .	46	—	5,580
Library superintendent (1) .	1	—	240
Assistants (8)	3	—	220
Cemetery and parks super- intendents (2)	2	—	360
Total of Canned	40	—	—
Total of Employés	89	2	£.16,430

* With increments of 100 £ a year till 2,500 £. max-
imum.

HARBOUR BOARD.

	Pro- testant.	Catholic.
Commissioners (32)	22	—
Principal officers (5) . . .	4	—
Staff of assistants and clerks (28) .	23	—
Deputy harbour masters (5) . .	6	—
Pilot masters (2)	2	—
Total Employés	57	—

[The following Paper was handed in:—]

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MR. M'LORINAN.

[Continued.]

MR. SEXTON—continued.

WATER COMMISSIONERS.

	Pro-	Catholic.
	testant.	
Commissioners (16) - - - -	15	1
Secretary (1) - - - -	1	-
Engineers and clerks and assistants, inspectors, &c. (5) - - - -	5	-

BELFAST POOR-LAW GUARDIANS.

Elected (22) - - - -	22	-
Ex officio (22) - - - -	21	1
Clerk (1) - - - -	1	-
Master (1) - - - -	1	-
Matron, assistants, and clerks (10) - - - -	10	-
Physicians and surgeons (6) - - - -	6	-
Relieving officers (4) - - - -	4	-
Collectors (7) - - - -	7	-
Sanitary (7) - - - -	1	-
Dispersary medical officers, urban (6) - - - -	6	-
Docto - docto rural (7) - - - -	7	-
Also registrars of births, deaths, &c. - - - -	-	-
Apothecaries (2) - - - -	2	-
Teachers in workhouse (5) - - - -	3	2
Nurse superintendent (1) - - - -	1	-
Nurses (41) - - - -	40	1
Local Government Board inspectors (2) - - - -	2	-
Total Employés - - - -	91	3

ASYLUM.

Board of governors (22) - - -	19	3
Superintendent and assistant physicians (3) - - - -	3	-
Clerk and matron (2) - - - -	2	-
Attendants, about (65) - - - -	60	5
MAGISTRATES - - - -	16	9

PETTY SESSIONS.

Chief clerk (1) - - - -	1	-
Assistants (5) - - - -	5	-
Recorder and county court judge (1) - - - -	1	-
Clerk of peace for Antrim - - - -	1	-
Docto - borough (1) - - - -	1	-
Coroner (1) - - - -	1	-
Sub-sheriff (1) - - - -	1	-

NOTE.—Above not including a large number of minor lands paid weekly, and not including laborers, as to whom, however, there is reason to believe the Catholics employés are very few.

1261. Then summing up the effect of that memorandum the Catholics of Belfast have no representative position upon any local board?—No, except one seat upon the Water Board.

1262. Substantially they have no representative position obtained by election upon any local board?—No.

1263. They are substantially shut out from all employment of any importance paid out of public funds?—They are.

1264. Would you say now that a Catholic boy would have any chance of admission to a place in 228.

MR. SEXTON—continued.

any of the officers of the Corporation of Belfast?—I do not believe he would.

1265. Do you believe it to be absurd and contrary to common sense to expect Catholics to have any confidence in the action of that body in any matter in which they obtain control over Catholic rights?—I do.

1266. I believe you yourself pay rates upon a substantial valuation; 300 £, do you not?—Yes, nearly 300 £ a year.

1267. It has been represented here that the intelligent Catholics in Belfast would be as well pleased, and perhaps even better pleased, to be represented or dealt with magisterially by persons of another creed than by persons of their own. Have you in your 60 years' experience met any of those remarkable men, those Catholics who prefer to be dealt with by persons of another creed?—Religious matters would not come in, such as the commitment of children to industrial schools.

1268. I speak of representation first. Do you know any Catholics in Belfast who would prefer to be represented on public boards by Protestants rather than by men of their own creed?—No, I do not.

1269. Do you know any Catholics who would prefer that the Bench should be Protestant rather than Catholics?—No, I do not.

1270. Now it has been represented here by one of the learned counsel that the corporation having dropped a certain clause in the Bill with regard to the asylum, really propose to make no change in the present system of government. You are aware, are you not, that the Corporation first proposed that the City Asylum, if constituted, should consist of 16 governors, and that they should nominate 12?—Yes.

1271-2. Although they regard with great indignation any proposal to direct the Lord Lieutenant or any one else, they wished themselves to compel him to accept their nomination of 12 out of the 16?—Yes.

1273. They dropped that clause when they found they could not carry it. At present the Corporation nominates six out of 22, one-fourth of the whole?—Yes.

1274. I suppose you are aware that upon the system which prevails in Ireland and which makes the representation of the Government on local bodies proportionate to the amount of money they pay to the asylum, the corporation if this Bill passes, will have (assuming the number of governors to be the same) a nomination of 12 out of 22?—Yes.

1275. Looking to what has been already said as to the constitution of the corporation and their action in regard to Catholics, would you have or do you believe the Catholics of Belfast as a rule would have any confidence in the safety of Catholic rights and interests in an institution so governed, that is, with the corporation having this majority?—They would not.

1276. As a matter of common sense, do you think that these two asylums at Belfast and Holywell could be as cheaply conducted by two separate boards as by one common management?—I am not very competent to give an opinion upon that; I did not study it very much.

1277. In regard to the health of the patients, 214 do

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Mr. McLOKINAN.

[Continued.]

Mr. Sexton—continued.

do you think it evident that the health and recovery of patients would be promoted, and that the charge upon the public might be thereby reduced if the two asylums were in the hands of one board; so that promising cases of patients from the city, tending towards recovery might be removed from the gloomy precincts of Belfast Asylum and placed in the freer space and more cheerful surroundings of Holywell; do you think that would promote recovery?—I think it would be desirable to have a second asylum to remove them to backwards and forwards; I think the change from a town asylum to a rural one would do the patients good; the change of scene and removing them would tend to cure the patients.

1278. It would tend to promote their recovery?—Yes.

1279. And would lead to a reduction of the charge upon the public my making the recovery more rapid?—Yes, it would.

1280. Is it a difficult transit between the two Asylums; what is the distance by road?—It is about 12 Irish miles by road.

Mr. T. W. Russell.

1281. Would you translate it into English miles?—It is 15 or 16 English miles.

Mr. Sexton.

1282. By rail it takes about three-quarters-of-an-hour, does it not?—About an hour, I think.

1283. Is it a matter simply of a horse and vehicle; do you think there would be any difficulty whatever as to convenience or cost in the transit of patients in small detachments, as their health might require, from one asylum to the other?—No, the expense would be very trifling. On every Saturday on the railway, the Northern Counties Railway by which they would go, there are tickets issued at half fare, I think.

1284. The transit is very cheap and very easy?—Very easy.

1285. Do you not think it would be time enough to establish a second board when the Holywell Asylum had been built and opened?—Yes.

1286. And when a system of combined management under the grand jury and the governors had first had a fair trial; you would be in favour of giving a system of combined management a fair trial first before establishing the two boards, would you not?—Yes, I should say it should have a fair trial.

1287. At present, as you are aware, the city and county pay half and half?—Yes.

1288. The commitments are more numerous from the cities than the county; the increase is 12 every year from the city and eight from the county, is it not?—Yes, I believe so.

1289. I believe there is no doubt that homeless and wandering demented people drift out of the county into the city as a matter of habit?—Yes.

1290. They are committed in the cities?—Yes.

1291. By the law of lunacy the person committed is charged at the place where he is

Mr. Sexton—continued.

arrested and committed, no matter where he may be domiciled?—That is so.

1292. Looking to the state of facts, that the increase commitments in the city annually is greater than in the county by 12 to 8, would you say that the half and half charge between the city and the county is probably about fair?—I think it is.

1293. In other words, out of the 12 increase in the city, probably two drift in from the county, and that would make it 10 to 10?—Yes, probably; there is a great increase every year into the city from the country districts.

1294. Under this scheme in future the city, instead of paying one half the cost, as it has done hitherto, will have to pay the full cost?—Yes.

(Chairman.) I think it was said that the half and half at present was subject to negotiations in the future if the proportion of lunatics should be somewhat different. Half and half is only the present arrangement.

Mr. Sexton.

1295. I dare say; but it is the arrangement, at any rate, and it would be immediately altered by the Bill. (To the Witness.) If the city, instead of paying half with the county, is under this Bill to take the full charge of all patients committed from the city, no matter what may have been their place of domicile, will not that result immediately in a heavy burden upon the city?—Yes, that is my opinion.

1296. At present I believe there are in the asylum at Hollymen 671 patients?—Yes.

1297. The charge for those would be for 325?—Yes.

1298. You are aware, are you not, that if this Bill passed the city would immediately become liable for 356?—Yes, which is more than half.

1299. So that the first effect of this scheme would be that the city would have 21 more patients placed upon its charge, which represents 250 l. a year?—Yes.

1300. And that would go on increasing?—Yes, it would.

1301. Does not it appear, therefore, that the corporation in their eagerness, and I may perhaps say, natural eagerness, to obtain the control of this asylum have rather given away the interests of the ratepayers in the city?—I think they have.

1302. Now, do you think that when the corporation come forward and seek fresh powers with regard to Catholics, this would be a proper opportunity for Parliament to take measures to give Catholics some protection with regard to those powers?—I think it would.

1303. I will just ask you one question; whether you think it would moderate the situation in Belfast and give satisfaction to the Catholics if the Lord Lieutenant by this Bill obtained power to appoint a commission which would have power to redistribute the wards in Belfast so as to give fair representation to all classes of the inhabitants?—I think it would be desirable.

1304. In regard to industrial schools, you attach great importance, do you not, to the full maintenance

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Mr. McLORINAN.

[Continued.]

Mr. Sexton—continued.

maintenance of the system of industrial schools in Ireland, especially in Belfast?—Yes.

1305. You think they have done a great deal to extirpate juvenile crime?—I think they have.

1306. At present the schools in Belfast are treated in a satisfactory manner by the grand juries of Antrim and Down, are they not?—Yes, there is nothing to complain of I believe.

1307. There is no cause of complaint?—There is no cause of complaint.

1308. Do you consider from your knowledge of Ireland, when it is found that in any department of administration satisfaction is generally given it is unwise to disturb it; in fact you should let well enough alone?—That would be the opinion of the Catholics of the City of Belfast.

1309. You regard the constitution of the Corporation of Belfast as an indication of the local condition of things which might encourage them to act unfairly towards Catholic interests?—I do.

1310. Do you apprehend that if the corporation obtained the control of the payments to industrial schools they might act unfairly, say by giving a lower payment to the Catholic schools than to the others, or by limiting the number to which they would pay or even by declaring they would not give any money for the support of convents and so forth; do you apprehend such a resolve might be come to by the Corporation of Belfast, as at present constituted?—I do not think they would give a preference to industrial schools other than Catholic; but I think in the case of convents they would not be inclined to give money to support them in the same way.

1311. Do you think they might lower the grants to convents?—I think it is possible.

1312. Or say they would not pay for more than a certain number of children, or that they would not pay at all?—I suppose they could refuse; I believe they could.

1313. They have absolute power, and you think they might exercise that power?—I think they might in regard to convents.

1314. You are aware that many of the industrial schools in Ireland (for instance the female one in Belfast), are conducted by religious orders? I am aware of that.

1315. The female industrial school at Belfast is conducted by an order of nuns, by Sisters of Mercy, is it not?—Yes, by Sisters of Mercy.

1316. I apprehend there are two dangers; one in connection with the local justices, and the other in connection with the corporation itself?—Yes.

1317. You are aware that most of the members of the corporation are also local justices?—A good many of them are.

1318. The local bench is a branch of the town council?—It is in great measure.

1319. And if the town council adopted any particular line of policy in regard to Catholic schools, do you think that that line of policy probably would be supported by members of the town council, who were also local justices?—Yes; I believe so.

1320. They would act in concert?—I believe they would.

Mr. Sexton—continued.

1321. It is suggested here that we ought to have confidence in the local bench; do you know that after the riots of 1886, in which religious or sectarian feeling was very much kindled, the Royal Commission recommended that the local justices should be withdrawn from the bench, and that the administration of justice there, so far as the magistrates were concerned, should be given wholly into the hands of the stipendiaries?—Yes, that was so.

1322. Are you aware that the Government adopted that view by introducing a Bill of which that was one of the purposes?—Yes.

1323. And that the House of Commons affirmed the principle of that Bill by giving it a second reading?—Yes.

1324. And it went to a Select Committee; therefore in this matter of fair play between children of different creeds, and industrial schools conducted by different creeds, especially where religious orders are concerned, if the corporation obtained the control, may I take it you would not be disposed to depend upon the impartiality of the local bench, or of the town council?—Would you just put the question again?

1325. In this matter of industrial schools, as between Catholics and Protestants, if the corporation obtained the control which they ask for in the Bill, looking at the relations between them and the local bench, as regards the number of corporators upon the local bench, would you have confidence that the local justices (I do not mean the stipendiaries, but the justices of the peace) would be impartial in the commitments of children, and in their dealings with the schools?—I think that in any case where it was clearly proven that the religion of the children was Catholic, they would commit them fairly enough; but I think where there is any doubt about the religion, such as would occur in the cases of mixed marriages, I would prefer the cases to be heard before the stipendiary magistrates.

1326. If the corporation have resolved to limit, or shown an inclination to limit the amount to be paid to Catholic schools, do you believe the members of the corporation who are upon the local bench might refuse to commit children to Catholic schools?

Chairman.] I do not understand that they could do so. Could they do so by law?

Mr. Sexton.] Certainly.

Chairman.] I thought they were bound to commit them to a school of the religion to which they belonged.

Mr. Sexton.

1327. (To the *Witness.*) They might refuse to commit at all, might they not?—Yes; they might do that.

Mr. T. W. Russell.

1328. But would they?—I cannot speak positively; they might do it.

Mr. Sexton.

1329. In order to get rid of that danger would you suggest that one or two stipendiary magistrates

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Mr. McLOUGHAN.

[Continued.]

Mr. Sexton—continued.

trates should act in those cases; that is to say, that the recommendation of the Royal Commission, and the suggestion of the Government Bill in regard to all magisterial business, should be carried out in this one matter of industrial schools?—Yes; I think that should be placed in the hands of stipendiary magistrates, one being a Catholic and the other a Protestant.

1330. Of course the local justices might commit children away out of Belfast. The present system is to send Belfast children to Belfast schools?—Yes.

1331. If the corporation determined to send Catholic children to other parts of Ireland, and to pay a lower fee, might not the local justices carry out that policy by committing the children away from the Belfast schools to other parts of Ireland?—Yes; it is possible they might. They would have that power, I believe.

1332. Whatever may be said of stipendiary magistrates with regard to matters in which politics are concerned, you believe that in these matters of creed the resident magistrates might be depended upon, being free from local prejudice, to act impartially?—Yes; they would be amenable to Parliament or to the Lord Lieutenant for their action.

1333. You think that being as you say amenable to a higher authority and a wider public opinion than the local justices, they might be relied upon to act impartially?—Yes; we would prefer having it placed in their hands.

1334. In the scheme as proposed by the Bill, unless this protection is given you think that there is really grave danger to the interests of Catholic children and of Catholic schools?—I believe so.

1335. You prefer the protection of Parliament in that way?—Yes, I do.

1336. Having regard to the suggestion that has been made that there are no more Catholics eligible as magistrates in connection with the asylum than the nine at present appointed, I have just to ask whether in your judgment there are not many Catholics in Belfast eligible from their education and position for the discharge of the public trust?—Yes, I believe there are a great number.

Chairman (to Mr. J. D. Fitzgerald).]
Do you wish to ask the witness anything?

Mr. J. D. Fitzgerald. If you please, Sir.

Examined by Mr. J. D. Fitzgerald.

1337. I understand that until this question was raised in connection with this Bill you had not given any attention to the affairs of the lunatic asylum?—No; nothing more than an ordinary citizen would.

1338. From reading the newspapers?—Yes; from reading and looking at the proceedings.

1339. You said you did not offer an opinion upon the management of the lunatic asylum?—Do you mean previously?

1340. I mean now?—Yes.

1341. With regard to this meeting of Catholic ratepayers, you said it was advertised before it was held?—Yes.

1342. In what paper?—In the "Morning News" and the "Irish News" of Belfast.

Mr. J. D. Fitzgerald—continued.

1343. How many days before?—One day before.

1344. Are those the papers that have been referred to as circulating largely among the Roman Catholics of Belfast?—Yes, they are.

1345. The result of the advertisement was that you got this meeting of between 50 and 100 persons?—Yes.

1346. Then I think I shall be correct in saying that it is not a very burning question in Belfast if you could only get that attendance?—I understand that the petition had to be signed on a certain day, and there was not time to give further notice for the meeting than the one day, or else I have no doubt if there was a meeting called now by his Lordship, the Right Reverend Dr. McAllister, no hall in Belfast would hold the people that would come to support his view.

1347. At any rate one day's notice could only produce the meeting you have told us of?—Yes.

1348. Do I understand that you are satisfied with the present arrangement as to the government of Belfast Asylum?—I have been in Belfast all my life, and I never heard any objection to it.

1349. That leads me to ask you this question: Do you know what the change is that is proposed by this Bill?—The change that is proposed is to place it in the hands of the local Belfast people and take it from the grand jury.

1350. You say to take it from the grand jury and to do what?—And place it in the hands of the Belfast citizens.

1351. In what way; I do not quite follow what is the change made by the Bill that you object to?—I understand that in the Bill, as it was presented at first, the Town Council took the nomination of 12 in their own hands, leaving six to the Lord Lieutenant?—That is quite correct.

1352. They afterwards withdrew that and left the nomination of the whole 18 to the Lord Lieutenant?—Quite so.

1353. I consider that, owing to the influence of the Corporation of Belfast with the Lord Lieutenant, the thing would not be altered in the main. In the main the Corporation would suggest names to the Lord Lieutenant and they would be appointed.

1354. You mean the Lord Lieutenant would adopt the nomination of certain governors at the suggestion of the Corporation?—Yes.

1355. But do you know that he does that at present?—I believe he does, so far as the local men are concerned.

1356. And that the present Roman Catholic governors are appointed by the Lord Lieutenant?—They are.

1357. And there is nothing in this Bill to prevent the Lord Lieutenant doing what he has done hitherto, namely, giving the Roman Catholics a proper representation on the Board?—Except that I would say the influence of the Corporation would be greater, seeing that it would be a local institution, and as governors of the town; they would have more influence with the Lord Lieutenant in having the members appointed.

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Mr. McLOKINAN.

[Continued.]

Mr. J. D. Fitzgerald—continued.

appointed whose names they would submit to him.

1358. Do you mean that the Corporation would exercise what influence they might have with the Lord Lieutenant to prevent him nominating Roman Catholic governors?—I think it is very possible they would prefer to have men of their own politics and religion nominated.

1359. They would want to have no Roman Catholic governors, you think?—I think so; that is the experience up to the present.

1360. Do you represent to the Committee that if such a representation was made the Lord Lieutenant would listen to it?—I do not think the corporation would put it in that way.

1361. Nor any other public body in Ireland, I should say?—No.

1362. The corporation, as you know, nominate a certain number of members now to the Lord Lieutenant; have they ever, that you are aware of, made any such suggestion directly or indirectly to the Lord Lieutenant as that he was not to nominate a Roman Catholic governor?—I do not think they ever submitted the name of a Roman Catholic to the Lord Lieutenant.

1363. That may be because they nominate, as you have told us, members of their own body, and their own body contains no Roman Catholics, so that they could not nominate a Roman Catholic. But have they ever made any suggestion to the Lord Lieutenant that he was not to nominate a proper number of Roman Catholic governors?—I do not believe they have.

1364. Was I right in understanding you that that is the only objection you have on what I may call the religious ground as distinct from anything else, to the proposals of the Bill as regards the lunatic asylum?—In relation to the commitment of children by the magistrates, do you mean?

1365. No; that relates to the industrial schools question. But as regards the lunatic asylum, you have told me now the whole of your objection on the religious grounds, have you not?—Yes.

1366. Let me ask you one question more about the lunatic asylum; do you know that this proposal for separating Belfast from the county originated with the governors of the asylum?—Yes.

1367. And Dr. Merriok, the resident officer?—Yes; they afterwards changed their minds, I understand.

1368. Quite so; but I thought you suggested that it was the corporation who had originated the proposal with a view to getting the control of the asylum?—No; I think not.

1369. I understand you. Now coming to the industrial schools, I understand you to say that you are satisfied with the present arrangement?—Yes.

1370. Let me ask with regard to industrial schools; do you know what the change proposed by the Bill is?—At the present time the managers of the schools get their funds from the grand jury, and the change would be that they would come from the Corporation of Belfast.

1371. That is the whole change; that in future they would apply to the Corporation of

Mr. J. D. Fitzgerald—continued.

Belfast for their allowance or grant or whatever you may call it, instead of to the grand jury. Now you do not as I understand suggest that the Corporation of Belfast would refuse to pay the money?—No, I do not think they would.

1372. But if I rightly followed you, you thought in the case of an industrial school that was managed by Sisters of Charity, they might have an objection?—I think it is possible.

1373. But have you ever known such a case?—They never had the power.

1374. You know they might have appeared before the grand jury and objected to any grants that the grand jury were making?—I think one of the causes why Catholics are alarmed about this is that when these industrial schools were first promoted a solicitor, who is now dead, employed by the Conservative party, so far as I could learn, opposed nearly every application that was made for admission to these industrial schools.

1375. He opposed them, as I gather from you, unsuccessfully?—Yes.

1376. He was not in any way connected with the corporation?—No, except that he was a Conservative, and it was considered by the Catholics that he was put forward by the Conservative party to oppose them. This was not continued, however.

Sir Edward Harland.

1377. How long ago was that?—It would be 16 or 18 years ago.

Mr. J. D. Fitzgerald.

1378. It comes to this: that some gentlemen 16 or 18 years ago made an application to the grand jury, which was unsuccessful?—He did not make an application to the grand jury; he opposed in the police court the cases brought up for admission to industrial schools.

Mr. T. W. Russell.] I thought it was a case of traverse before the grand jury.

Mr. J. D. Fitzgerald.

1379. So did I, Sir. (To the Witness.) You mean that this gentleman who appeared in the police courts objected to some particular child being sent to a convent school?—No; his objections were generally; if I remember rightly, he appeared every day in the police court and opposed the commitments.

Mr. J. D. Fitzgerald.] I suppose he was an eccentric individual who interested himself in these matters, but he did not succeed apparently.

Mr. T. W. Russell.

1380. (To the Witness.) Did he oppose indiscriminately, Protestants and Catholics?—No, not indiscriminately, only Catholics. The Catholics had their industrial schools opened a considerable time before the Protestant schools.

Mr. J. D. Fitzgerald.

1381. He objected to children being sent to Catholic schools?—Yes.

1382. Do you remember on what grounds?—I do not remember at this distance of time.

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1383. Were

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[Continued.]

Mr. J. D. Fitzgerald—continued.

1383. Were they religious grounds?—I think they were.

1384. Or economic or political, or what?—I think a good many of the cases were such as I have referred to, namely, where they were children of mixed marriages.

1385. I can quite understand that. Do you mean he was there when there was a contested question as to whether the child was a Protestant or a Catholic?—Yes, I think so.

1386. I suppose he represented some person having an interest, a relation or otherwise, who suggested that the child was a Protestant or ought to be brought up as a Protestant, the parent being a Protestant. I think you will see that is an entirely different question from the one before this Committee, and one that the Bill before the Committee does not affect in any way. Just let me ask this, because it is a matter that must occur. Cases do occur where there is a dispute as to the religion of a child?—Yes, there are some.

1387. Whatever you do, that question must occur from time to time?—Yes, it would.

1388. That is a matter that is decided by the local justices?—Yes.

1389. Whether this Bill is passed or not, the local justices will continue to decide that?—They will.

1390. That being so, that cannot be the reason of your objection to the corporation being the parties who actually draw the cheque, for that is what it comes to?—Except that the Corporation now will have more direct interest and influence over the asylum.

1391. I do not mean the asylum; it is the industrial school I am referring to?—I should say the industrial schools; I intended to say so.

1392. The account will be sent in to them, and they will draw the cheque?—Yes.

1393. I have only one other question to ask you. Have you read the evidence given here by three leading members of the corporation?—I have.

1394. That there is absolutely no ground whatever for the apprehensions expressed in your petition, that they would deal differently with Protestant and Catholic children?—They said so.

1395. Does not that satisfy you? If the whole body of the Belfast Corporation were to come here and tell you that there was no ground for that suggestion, would that satisfy you?—The Corporation is a changeable body; the members of it change from time to time.

Mr. T. W. Russell.

1396. You do not object to that?—No; but what I mean is they could not bind those who follow them. If every member of the corporation stood up here and said that there would be no change, I think they would carry it out; but hereafter there might be a change in the corporation, and the thing might naturally be changed.

Sir Edward Harland.

1397. Can you cite any actual cases where there was injustice meted out to those who were committed or should have been committed to an industrial school by reason of their being Roman Catholics?—No.

Sir Edward Harland—continued.

1398. So that your objection to the powers sought to be taken amongst others by the Corporation is that you have misgivings; but you have had no practical experience of such cases having occurred?—On Saturdays I think the children are committed to these schools, and certain magistrates attend on those days, and nearly every week there are children of mixed marriages put forward. The Protestants on the Bench are in a large majority, and they naturally, I suppose, have a leaning towards their own Church, and if there is a doubt I suppose they give the benefit of the doubt to bringing the children up in their own faith.

1399. Even granting them that small weakness on their part, have you any cases in your recollection of really serious injustice having been meted out by the magistrates on the Bench?—I could not cite a case at present.

1400. You have not observed for instance perhaps that there is a desire on the part of Protestant magistrates to pack the Bench on those days, so as to overrule the expression of opinion of the Catholic magistrates who may have agreed on certain days to attend; have you ever known a case where there has been any attempt to pack the Bench, so as to be the means of injustice being meted out to Catholics?—It would not be required to pack the Bench, because the Protestants are always certain of a majority on the Bench, and even if they thought it right to do so they would not require to pack the Bench, because there are always five or six Protestant magistrates to one Catholic.

1401. In view of there being now five or six Protestant magistrates to one Catholic, and of the fact that you can quote no injustice, why should you anticipate in the slightest degree any injustice in future when the probability is that the constitution not only of the magistracy but also of those interested in the asylum would probably be the same as the proportion of Catholics to Protestants?—I do not say there has not been injustice, but I say that I am not in a position to cite a case. I think it is very possible that there has been, and that there have been children of Catholic parents committed to Protestant schools.

1402. You are aware perhaps that it has been sought to change the number of wards in Belfast, so as, if possible, to secure the return of Catholics on the corporation as against the present arrangement of five wards, which have not yet been able to return a Catholic?—They have had Catholics in the corporation, but I am aware that a change is desired on the part of the Catholics.

1403. With regard to which an increase in the number of wards would probably facilitate or secure that?—Yes.

1404. At present there are five wards, that is to say the city is divided into five parts?—Yes.

1405. And yet there is no Catholic member returned to the corporation from those wards?—No.

1406. The city is divided into four wards as regards the Parliamentary division, and yet there is a member of the Roman Catholic faith returned as the representative of Belfast?—Yes.

1407. Is

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[Continued.]

Sir Edward Harland—continued.

1407. Is not that rather odd. If one-fourth of the town can return a representative, how is it that one-fifth of the town cannot do it?—It is in the construction of the wards.

1408. Are you aware that the construction of the wards for the Parliamentary division was to a certain extent made by the Government of the day so as to (as they thought) fairly divide the city into four parts?—Yes.

1409. It was sought to induce you to state that there was unfair treatment by public bodies to Roman Catholics in Belfast; as your reply to Mr. Sexton's question was not perhaps as satisfactory as he might have liked, can you quote any instances of injustice, as you say, or of gross injustice, as was put to you, by any public bodies in Belfast to Roman Catholics?—I think it is a gross injustice to more than one-fourth of the population that none of them have yet any employment from the different corporate bodies in Belfast.

1410. Does that apply through all the corporate bodies; are there no labourers, or none of those who are engaged in the humbler walks of life, employed in any way?—It is possible there may be a few scavengers. I have a large family, but I was so certain that they would not get employed in any corporate body that I would not look for anything there for them.

1411. Perhaps you were afraid that they would not be promoted so rapidly as others?—I have no hesitation in swearing that they would not get any appointment under the corporation.

1412. If that be your feeling with regard to the public bodies, let me ask does that apply generally to the employers of labour in Belfast?—I think it does. I think Catholics are kept out of the upper employments in the different branches of industries.

1413. Where do the large number which has been given to us of about a fifth of the whole population of Belfast, obtain employment?—They obtain employment the best way they can; they are tradesmen, labourers, dealers, and shopkeepers; but there are many trades that they do not get into.

1414. Are not many of them in large numbers working in mills and factories?—Yes.

1415. Are there not thousands so employed?—Yes, thousands.

1416. If there are thousands working in mills and factories, how is it that among the thousands so engaged they do not work themselves up a little more to the front?—They do not get any encouragement. All the money that is raised upon the town, for instance, by the Corporation of Belfast is spent among Protestants.

1417. Then is not the money earned by Catholics spent among Catholics in the same way?—The rates are not all Protestant money. I think the Catholic merchants or shopkeepers should get a share of the money which the Corporation spend.

1418. Have you any instances where there is any unfair levying of rates upon Catholics or any neglect of any public trusts in Belfast to make improvements in that part of the city where, say, Catholics live, as compared with what is done where the Protestants live; is there any

Sir Edward Harland—continued.

sort of fixed and studied injustice which you can bring forward; as, from some of the questions put, and some of the answers you have given, one would be naturally led to conclude must be the case?—No, I do not think there is.

1419. With regard to the mills, are you aware that in some of the mills and manufactories there are as many as 700 or 800 Catholics in one employ?—I think it is more than likely. They are more necessary to the employers than the employers are to them.

1420. We will not raise the question of capital and labour; but, so far as facts arise, judging from your evidences and your statement, those of your persuasion do not appear to have worked themselves up to such a forward position as to be selected by the inhabitants to hold any responsible trust in the town?—I give you the reason; they do not get encouragement like the encouragement the Protestant merchant and others get from the Corporation; the upper classes of people in the town.

1421. How do you account for so very few employers in Belfast being of the Catholic persuasion; I mean men who employ, say, over 100 workmen?—I say it is because they have not the means of employment; they are the humbler class of people in the town; they are the working classes, and the encouragement is not given to them that is given to the other side.

1422. But is the history of all employers not this: that they have raised themselves by their own industry and by their own thrift, putting together a little capital, have ultimately started business for themselves?—It is.

1423. But how is it that your community have not followed the same rule, as I may venture to say nearly the whole of the employers have done, and so worked themselves up to the front a little?—We have a number of men who have worked themselves up to the front.

1424. How many employers are there in Belfast who employ more than 100 men?—At present I could not tell you that; I do not think there are many; they are in the smaller trades.

1425. In the larger trades, which give control to position amongst their fellows, may I not take it that it is a curious fact (unless you contradict it) that the number of Catholic employers in Belfast compared to the number of Protestant employers is in an almost unaccountable minority?—The reason is because they do not get any encouragement the same as Protestants do from the Corporation.

1426. What do you mean?—The money that is raised is spent entirely amongst Protestants; the Catholics are shut out of the higher employment.

1427. Surely the Corporation of Belfast do not employ very many employers, do they?—I do not say that they do. I say the Corporation of Belfast spend all the money that is raised in the town by the rates among Protestants, and thereby raise up the Protestants.

1428. Surely the amount that the Corporation of Belfast spend in employment is a mere fraction of what is spent in Belfast by all the manufacturers?—I am sure it is.

1429. In other words, would not all the wages paid by the Corporation of Belfast put together,

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Sir Edward Harland—continued.

be a very small fraction out of the wages that would be paid by all the other employers of labour?—The answer to that is that the Catholics do not get the opportunity. For instance, no Catholic would think of going to your firm to ask for employment in your office in an advanced position.

1430. There are certain qualities necessary for advanced positions, and those qualities are generally looked for in those who have worked themselves up from humbler spheres to higher ones and got more experience. Perhaps as you have been so good as to refer to my firm you are aware that very many hundreds are engaged in my firm?—Yes.

1431. Have you ever heard of any instance of any injustice being meted out?—No, not by you or any member of the firm, except what has occurred through the hostility of the workmen.

1432. You were asked would you not prefer to go from Belfast to Antrim by road (I presume in a car), the distance being so short, instead of the train?

Mr. Sexton.] The suggestion was that there were both ways available.

Sir Edward Harland.

1433. You are aware at any rate, that there is train very convenient between Belfast and Antrim?—Yes.

1434. Would it ever occur to you to get to Antrim by car instead of by train?—I think the train would be the cheaper mode.

1435. Would the desire to go by train be very much enhanced in case you had a lunatic in charge, in preference to going on a car with a lunatic?—I think in every way the train is better.

1436. There would be the power to go by train from Belfast to Antrim if the two asylums were worked jointly?—Yes.

1437. With regard to the riots referred to in 1886, amongst other things which the Royal Commission recommended, was that the magistrates should be limited in their powers as to sitting on the bench. Though the recommendation in 1886 was that the powers of the borough magistrates should have been limited and circumscribed, have you since that time ever heard of any injustice being perpetrated by any of those gentlemen on the Bench in Belfast. I am referring now particularly as between Catholics and Protestants?—No, I do not remember any case.

1438. So that recommendation was evidently the outcome of nervous anxiety on the part of the Royal Commissioners, thinking perhaps that the riots had been influenced somehow or other by the action of the magistrates before that time?—No, I think there were special causes why that was recommended arising out of the evidence given about the riots.

1439. So far as regards the conduct of the magistrates on the bench since, you have had no reason to complain?—No.

1440. Therefore in future, assuming the present method of constituting or creating the magistrates remains the same, I presume you have no reason in future to anticipate any com-

Sir Edward Harland—continued.

plaint, but it would be fairly and justly dealt with in any cases coming before them?—I prefer that the police business should be placed in the hands of the resident magistrates.

Mr. Hitchen.

1441. I understand your objection as regards the question of industrial schools is that you anticipate danger to the Roman Catholic body on two grounds; first, because the commitments to industrial schools would then be entirely in the hands of the local magistrates instead of in the hands of the Grand Jury as at present?—Yes.

1442. The funds for the support of industrial schools would then be voted by the corporation and entirely within the control of the corporation?—Yes.

1443. Do I understand you to anticipate danger to individual Catholic children or to Catholic schools. Do I make myself clear? We were told by Mr. Fitzgerald on the last occasion that when a case of that sort came before the magistrates the child's previous history and the religious persuasion of his parents were inquired into, and the child committed to either a Catholic or Protestant school, according as the circumstances seemed to direct. That is the case now, is it not?—Yes.

1444. Have you any reason to suppose that that will not be the case were the whole matter in charge of the corporation under the local magistrates?—I think in the case of children brought up before the borough magistrates, where the case was clearly proved that they were the children of Roman Catholic parents on both sides, there can be no doubt they would commit them to a Catholic school; but I would say in the case where there is a mixed marriage the Catholic would prefer that it should be placed in the hands of the resident magistrates.

1445. On the ground, you think, of the majority of the local bench being Protestants, a child of a mixed marriage would as a rule be sent to a Protestant industrial school?—I think they would have a leaning towards their own faith.

1446. I think I understood you to say that they might refuse to send children to convent schools; that is my summary of your answer?—Yes.

1447. Was that on the ground that they would think that the public money ought not to be given to the support of Roman Catholic schools, and therefore indirectly to the Roman Catholic religion?—I think in Belfast there would be a prejudice against nuns and to giving money that would go in some way to support them.

1448. Do you think that they would carry that prejudice to this length, that they would rather the child should be allowed to run about the streets than go to a Roman Catholic school?—I do not say they would, but it is possible they might.

Mr. Sexton.

1449. Might they not provide that the Roman Catholic school should be paid at a lower rate than the Protestant school?—They have that power I believe.

Mr. Hitchen.

1450. Have they the power to settle the sum that

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that is to be contributed for each child?—I believe so.

Chairman.

1441. Is there any contribution by the parent ordered by the magistrates?—I think the magistrates have the power to compel the parents to contribute. But with this class of children it is very difficult to get anything.

1452. Is it in their discretion?—Yes.

Mr. Hickey.

1453. The payment ordered by the Government out of the rates is a fixed sum?—Yes.

1454. Then how can what is suggested make any difference?—They have the power of refusing altogether to pay.

1455. If they do not refuse to pay they are bound to pay a fixed sum?—Yes.

1456. They can make no difference between a Roman Catholic and a Protestant school?—They have the power; I do not think they would exercise it.

1457. Do you know how many industrial schools there are in Belfast?—There are two Catholic schools, one male and one female.

1458. Are they both under the management of a religious order?—The are under the management of the Catholic clergymen.

1459. Are they what you call convent schools?—The female school is.

1460. They are both under the control of the Government, as we were told on the last occasion?—Yes.

1461. So that beyond the whole course of instruction and management the school is subject to Government inspection and control?—Yes, it is.

1462. And in the case of females the magistrates must commit to a convent school in the case of Catholics?—Yes, I believe so.

1463. They have no option?—I am not sure of that.

Mr. Knox.

1464. I think as a matter of fact you are mistaken as to the law. They can commit to any school they like; they can commit to a school at a distance for instance, can they not?—Yes.

Mr. Hickey.] I was going to ask that. The local magistrates at Belfast would have the power of committing to other industrial schools in case their schools were full, or for other sufficient reasons?

Witness.] Yes.

Mr. Knox.

1465. Even if the schools in Belfast are not full they could commit elsewhere in Ireland?—Yes, I think it is in the discretion of the committing magistrate to send the children to what school they like.

Mr. Hickey.

1466. That is the case in England, as we know; for instance they might send them to a training ship?—Yes.

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1467. Roughly speaking, I suppose I may take it that the Roman Catholic population of Belfast is one-fourth of the whole?—A little over one-fourth.

1468. As I understand, your claim is that they ought to have a proportional representation on the corporation?—Yes.

1469. You would be satisfied with something like proportional representation?—Yes.

1470. Now coming to the question of industrial schools and the local bench, are you aware that the Roman Catholics on the local bench have more than the share that could be justified according to their proportion of the population?—I am not.

1471. How many Roman Catholics do you think are on the Belfast bench. You have told us you are a large ratepayer in Belfast, and you have come here making certain statements; you must have had knowledge before you made the statements; and I ask you how many Roman Catholic magistrates are there on the bench in Belfast?—Perhaps you will allow me to refer to the number. There are nine on the list that I have handed in, but there are a number of them not eligible; some of them have left the town. Again, two of them are over 80 years of age.

1472. Would you read the names?—The names are not here.

1473. There are nine Roman Catholic magistrates out of 58 on the bench?—Nine Roman Catholics and 58 Protestants, but some of them have left the town. There are nine that actually have the right to be on the bench, but two are over 80 years of age, and one has left the town.

1474. We decline to disqualify people here for being above 80 years of age. But there are nine Roman Catholic magistrates?—Yes, but some are away.

1475. Some Protestant magistrates may be away as well as Roman Catholics?—Yes.

1476. At all events you have on the borough bench proportional representation of Roman Catholics; it may not be up to what you are exactly entitled to, but you have an approximation towards proportional representation there, according to these figures?—Yes. I might, perhaps, explain to you that after these riots in Belfast the Catholics came to the conclusion that they would not attend on the bench, inasmuch as they were outvoted, and in some cases where they did not consider the cases had been adjudicated in the way they should have been, they determined to leave the bench. They were in favour of the measure that had been then adopted by the Government, namely, to appoint police magistrates.

1477. I suppose a minority generally has the misfortune to be outvoted?—That follows of course.

1478. Would the claim of these Catholic magistrates be that they should coerce the majority of the magistrates?—They do not wish to coerce them; but they ceased to attend because they did not consider they were fit to do any good.

1479. That was, you say, because they were outvoted; that is what I wanted to come to.

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The minority of Roman Catholic magistrates on the bench because they were outvoted did not consider they could do any good. What would be the fate of the minority in the corporation of Belfast. Would it be the same?—Of course they would be outvoted, but I would say it would do good to the town to have a few Catholic magistrates on it.

1480. Are not the proceedings of the Belfast police court reported?—Yes.

1481. Just the same as the proceedings of the corporation?—Yes.

1482. So that the minority would be reported in both cases?—Yes.

1483. Now, you have told us that the borough bench is simply a branch of the corporation?—Partly.

1484. You called it a branch of the corporation?—Yes.

1485. How many magistrates belonging to the borough bench are on the corporation of Belfast?—I think about 14 or 15.

1486. Out of 40?—Yes.

1487. Are you quite sure there are 14 or 15?—Yes.

1488. Could you give us the names?—I could, but I have not got them here.

1489. I have something like a knowledge of Belfast, and I should be very glad if you could put in the names before the inquiry is over?—I will hand in the list.

1490. You think that it would be wise to hand over the committees in the case of these industrial school children to the stipendiaries; those are the gentlemen who on all occasions but this are called "Removable"?—Yes, they are called "Removables."

1491. They are called "Removables" in the House of Commons, and in the country generally?—The resident magistrates that we have, I think, are not "Removables"; the men referred to as "Removables" are men in temporary employment.

1492. No; I beg your pardon. The whole class of resident magistrates are called "Removables" in the House of Commons, and justly, as they are removable by the Lord Lieutenant. Mr. McCarthy, who is on your bench, who was lately brought from Limerick, is just the same as the others?—I understand it applies to men appointed since the passing of the Coercion Act, employed for short service.

1493. No; but however that is not the point. These are removable magistrates, as a matter of fact, at the pleasure of the Lord Lieutenant?—I do not understand it as applying to them.

1494. Are they removable at the pleasure of the Lord Lieutenant?—They are removable from one place to another.

1495. Are they removable from office at the pleasure of the Lord Lieutenant?—I am not aware of that.

1496. You may take it from me that they are. You propose to give them this power which has hitherto been exercised by the local justices?—They have exercised it with the local justices.

1497. Whilst you are desirous of having this power taken from the hands of the local justices, you are unable in any single case to give any

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evidence of injustice to any Catholic child?—I give my reasons.

1498. You have not a single case to produce to the Committee?—No.

1499. You have not one case, and yet, in the absence of all evidence of a contrary character, you propose to remove this power from the hands of these local justices in Belfast and hand it over to a body of magistrates called stipendiaries here, and who are removable at the will of the Lord Lieutenant?—The present Government proposed to relieve them of it by a Bill which they brought in.

1500. Was that Bill passed?—No.

1501. Why not?—I do not know. It got to a second reading. It was recommended by Judge Day.

1502. You propose to do it?—Yes.

1503. Without a tittle of evidence to justify it; you stated your fear, but you are unable to give a single case, and you are a resident in Belfast, where the slightest injustice has been done to a Roman Catholic child?—I give my reason.

1504. The Committee can judge of your reasons, but I am referring to the fact?—That is the fact.

1505. What is your reason?—The reason is that I think in the case of mixed marriages they would be likely to favour their own religion; I would rather have it in the hands of resident magistrates who are amenable to the Government.

1506. Why do you say they are amenable to the Government?—Because they are appointed by the Government.

1507. All magistrates are appointed by the Government?—Yes; but they are responsible to the Government, and they draw salary from the Government and come before Parliament.

1508. You stated you thought that with the position of affairs in Belfast a serious question might arise as regards committees to convent schools?—I said it was possible.

1509. Now I am going to read you the section of the Industrial Schools Act under which this all takes place; Section 9 of the 31st Victoria, cap. 25, which is the committal section, says:—"It shall, and may be lawful for the grand jury of any county, county of a city, or county of a town at any assizes, and for the town councils of the boroughs of Dublin, Cork, and Limerick, at a special meeting of such council called for the purpose, to appoint and empower a committee of such grand jury or council to enter into an agreement with the managers of any industrial school certified as aforesaid for the reception, maintenance, and keeping in such industrial school from time to time of such children as are ordered by justices or a magistrate to be sent there from such county or borough in consideration of such periodical payments as may be agreed upon with such managers; and such grand jury or council shall present the payments of the money which may, from time to time, become payable under such agreement." Now the first thing there, is an agreement between the grand jury or the council with the managers of the industrial schools?—I think that is not the

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the first thing that you read; I think it is a conditional thing. They may do so.

1510. They may enter into an agreement, but they shall present the agreement after they have made the agreement?—Yes, they may do; there is nothing compulsory.

1511. The payment is compulsory?—But the conditions of entering into an agreement is not compulsory; they may do it.

1512. I quite agree, but I want to take it step by step. The first thing is the agreement, which they may or may not make?—Yes.

1513. Do you contend that as regards Roman Catholic children the Belfast Corporation would make no agreements with any Roman Catholic schools?—I do not contend that; I said they might do so.

1514. "Might do so" is very wide. We cannot legislate on might. You do not say that the Belfast Corporation, if these powers were granted, would deliberately refuse to come to an agreement with any Roman Catholic industrial school and would rather allow the Belfast Roman Catholic children to run about the streets as waifs and strays than make an agreement. You do not take that position?—No.

1515. But you think there might be some difficulty regarding convent schools, because of the feelings of a large class of people in Belfast regarding convents; that is your position?—Yes.

1516. The grand juries of Antrim and Down have had these powers up to the present?—Yes.

1517. I think you used the expression that you would prefer to let well enough alone?—Yes.

1518. In the case of the grand juries of counties Antrim and Down (two exclusively Protestant bodies), things have been well enough?—Yes.

1519. Then it cannot be anything in the nature of Protestantism, that is the difficulty, seeing that the two Protestant bodies, according to your own statement, have done justly in those cases?—I think the grand juries are not representative bodies in the same way. I would say they take a broader view of things than the Belfast Corporation; they are not elective.

1520. Do you take up the position at this time of day that a non-representative body is superior to a representative body; let us have an answer to that: Do you think a non-representative body has less chance of doing mischief than a representative body?—We know what the —

1521. I want an answer to my question. You have stated to the Committee that the grand juries of Down and Antrim are not representative, and therefore take a broader view of the situation?—I think so.

1522. Is it your opinion that in dealing with matters of this kind a non-representative body is capable of taking a broader view than a representative body?—My answer is, that we have not had occasion to find fault with the grand jury, though we do find fault with the Corporation of Belfast.

1523. That is hardly an answer to my question. Would you prefer this to be in the hands

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of a non-representative body?—I prefer it in the hands of the grand jury, as it is.

1524. You prefer grand juries to elective councils?—We have not any elective councils in the sense that the grand juries are elective.

1525. Grand juries are not elective at all?—I mean in the sense of representation.

1526. I say do you prefer a non-elective and non-representative body to an elective body such as the Corporation of Belfast?—No, I do not.

1527. Seeing you do not prefer a non-elective and non-representative body, and seeing that, according to your own showing, the grand jury has acted justly, the difficulty cannot be in Protestantism *per se*, because both the grand juries of Down and Antrim, as I understand, are exclusively Protestant bodies?—Yes.

1528. Then it must be something special at Belfast?—Yes; because in Belfast it is a special case that more than a fourth of the people, namely, the Catholics in the City, have no representation. It is a special thing that does not exist anywhere else.

1529. You think that a body such as the Corporation of Belfast, although an elective body would not deal or might not deal so justly; because you do not take the position of saying they would not?—I do not.

1530. You think such a body might not deal as justly as the non-elective body, the grand jury of County Antrim and County Down?—Constituted as the Corporation of Belfast is I say so, because the Catholics have not a fourth of the representation.

1531. You stated, in answer to Mr. Sexton, that a redistribution of the wards was necessary?—Yes.

1532. Are you aware that the members of the corporation who gave evidence here said they had no objection to that?—Yes, I have heard that.

1533. The Corporation can hardly be blamed for being exclusively Protestant if the electors make it so?—I mean the way in which the wards are manipulated. There has been no change, though the population has increased so enormously since the town was divided, and I think it would be the duty of the Corporation to have it done. They are promoting Bills nearly every Session, and they should have promoted a Bill for that long ago.

1534. At all events, you have read the evidence of the Corporation that they have no objection to it?—I have heard it said so.

1535. As regards the question of mixed marriages, that is the only point upon which you have any fear as regards the local magistrates, I understand. You said the local justices would naturally have a leaning to their own faith?—Yes.

1536. Where there is a mixed marriage, and the father has been a Catholic and the mother a Protestant, there is always some contentious point?—Yes.

1537. It must be decided one way or the other?—Yes.

1538. Have you any evidence to give the Committee where, in cases of mixed marriages, the borough bench, has done unfairly?—I cannot cite a case at present.

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1539. Coming

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Mr. M^cLEORINAN.

[Continued.]

Mr. T. W. Russell—continued.

1539. Coming to the question of the asylum regarding the appointment of governors, you have read the Bill, I presume?—Yes.

1540. And you know that a certain clause is struck out?—Yes.

1541. This Bill, as it stands, proposes to give the Corporation of Belfast, in regard to the Belfast Asylum, the same rights and no more as every other place in Ireland has?—Yes, I believe so.

1542. Who has the appointment of the governors in reality; is it not the Lord Lieutenant?—It is the Lord Lieutenant, I believe.

1543. And the Lord Lieutenant has appointed Catholic governors in the past?—He has.

1544. Have you any reason to doubt he would do it in the future?—I think it is very possible he would appoint some.

1545. Are you aware that the Belfast Corporation, when making their recommendations (because that is really all the power they have) to the Lord Lieutenant, have not gone outside their own body?—I am not aware.

1546. Are you aware that evidence has been given?—I am not aware.

1547. Of course, if they confine themselves to their own body they are bound to nominate Protestants?—Yes.

1548. The ultimate power of appointment of these governors is in the hands of the Lord Lieutenant under this Bill?—So I understand.

1549. And that is exactly the position of every other county is it not?—Yes, so I understand.

1550. Therefore the Corporation are asking no more for Belfast than what every other place in Ireland has under this Bill?—Except that the Corporation of Belfast is exclusively Protestant, and I do not think that is the case elsewhere.

1551. Because the electors, being Protestants, are in the majority?—Yes.

1552. And because you think the arrangement of the wards does not conduce to minority representation?—Yes.

1553. Are you in favour of a minority representation?—It is a question I have not studied.

1554. You would like the Belfast minority represented?—Yes.

1555. Coming to the question of health, you have given evidence that you think that the change of patients from one asylum to the other would be a great advantage in certain cases?—Yes. I do not profess to be an expert. A change to people afflicted by the Almighty in that way would do them good.

1556. Will you look at Clause 7 of this Bill. Under that clause there is a power of interchange under certain conditions between the two asylums?—This applies to County Down.

1557. "It shall be lawful for the governors of the Belfast Asylum from time to time to send to the Antrim Asylum," that does not apply to County Down, "any lunatic patient from the city from whom there is not sufficient accommodation?"—I was looking at the wrong clause.

1558. It is reciprocal between the two asylums?—Yes.

1559. There is power of interchange taken

Mr. T. W. Russell—continued.

there when there is not sufficient accommodation in either of the asylums?—Yes.

1560. If the question of health is an important one, we have had evidence rather disputing that from Dr. Merrick, but if this question of health is important it would be very easy to amend this clause, and to enable the governors in each case to interchange patients on the ground of their health being advantaged?—

1561. Regarding the board of guardians I have one question to ask you. You said there was one *ex officio* guardian who was a Roman Catholic?—Yes.

1562. But no elected guardian?—No.

1563. There must be an *ex officio* guardian for each elected guardian, must not there? Is not that the law?—I think so.

1564. Can you give me any reason why there is only one *ex officio* guardian in Belfast. When the law is automatic that there must be one for each elected guardian, and that they must be taken in the order of rating. Can you give me any reason why there is no such one *ex officio* guardian in Belfast in that state of the law?—No.

1565. Is not it the reason that they are not rated sufficiently for the purpose?—What is the rating?

1566. They must be justices of the peace, and they must be rated?—There are several justices of the peace.

1567. But when you come to the appointment of *ex officio* guardians in Belfast Union, with the law in this state, that there must be one *ex officio* for one elected guardian, and that the *ex officio* must be justices of the peace and rated sufficiently, with nine justices of the peace on the borough bench, will you tell me how it comes that there is only one *ex officio* guardian in Belfast Union?—Will you be kind enough to tell me what the rating qualification is?

1568. First, as I understand, the law is this, that the *ex officio* guardians, being justices, are chosen from the highest ratepayers; you may take it from me roughly, that that is the law; the reason that there are not more Roman Catholic *ex officio* is because they are not rated sufficiently to secure the place?—There are Roman Catholics to whom that could not be the objection, men of property, rated.

1569. The clerk of the union is bound to take them according to the highest rating?—Yes, Protestant and Catholic.

1570. If nine Catholic magistrates were the highest rated men, they would be bound to be there; he has no choice?—Yes.

1571. And there is only one seat under that; who is that?—I think it is Mr. Arthur Hamill; I am not sure.

1592. I think I may take it that the tenour of your whole evidence is this, that you are unable to produce any actual proof of unfair dealing by the borough bench; but you think something might happen if they got fresh powers, and, as regards the corporation, you take exactly that ground; it is fear, more than actual fact?—I should prefer to have the thing as it is, or else to have a protection in the way indicated.

1573. I want

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Mr. M^r LORINAN.

[Continued.]

Mr. Sexton.

1573. I want to clear up two or three points; Mr. Russell suggests that if the Catholic justices were highly rated, they would be *ex officio* of this union?—I understood him to say that.

1574. Do not you know that in order to be an *ex officio* guardian of the Belfast Union you must be a county magistrate?—Yes, I believe that is so.

1575. What chance have the Roman Catholics of being county magistrates of Antrim; are not they very rare exceptions?—Very rare, of course. There are a number, some.

1576. Very few?—Yes.

1577. You could count them on the fingers of one hand, I suppose?—Yes.

1578. So that it would be impossible for them to be *ex officio* guardians of the Belfast Union?—Yes.

Chairman.

1579. In Belfast, must they be county magistrates?—Yes.

1580. Not borough magistrates?—No.

Mr. Sexton.] A position to which it would be visionary to a Catholic to aspire?

Mr. Russell.] But there is evidence that there are several.

Mr. Sexton.

1581. It is one of these cases in which the exception proves the rule. If you will get the figures you will find there are several scores of Protestants to two or three Catholics. Mr. Russell has fallen into another error. The magistrates, as appears by your memorandum, are 67 in number, 58 Protestant and 9 Catholics?—Yes.

1582. That makes the Catholics one-eighth of the bench?—Yes.

1583. But are not they one-fourth of the population?—One-fourth of the population and more.

1584. Therefore, instead of being more numerous on the bench than according to the population they are only one-half?—Yes.

1585. Of the nine very many are disabled?—Many are disabled.

1586. There are only two or three?—I think there are only two eligible to go there at present.

1587. They are a larger body to draw from than the Protestants?—Yes.

1588. So that instead of the Catholics having more than their share of the bench, they only have half of what their proportion is in the population, and their representation has not been really kept up because most of the magistrates cannot act?—Yes.

Mr. Sexton—continued.

1589. Now about this governing body of the asylum. An effort is made here to represent that no change is to be made. I ask whether the change is not this, that the Corporation now recommend which man is appointed, six governors out of the 22, one fourth, and until this Bill passes they will recommend or appoint 12 governors out of 22. Is not that a fundamental change?—Yes, it is.

1590. That is nothing more, Mr. Russell says, than exists in any other part of Ireland. Is there any other part of Ireland where a city alone is a lunatic district?—No.

1591. Is there any other part of Ireland, therefore, where a corporation would have the power to recommend and appoint a majority of the governors, except Belfast?—No, I suppose not.

1592. A comparison has been made between the grand juries of these two counties and the corporation of the city. It is suggested that Protestantism is not the sole cause. Is it not a fact that owing to a succession of disturbances and riots in Belfast the condition of the city of Belfast in regard to the feeling between creeds, or, at any rate, with regard to the feeling that may be excited between creeds, is without parallel; that there is nothing like it in any other part of the country?—No, there is not, I am sorry to say.

1593. And that is the reason why functions which may be safely discharged in regard to Catholics by Protestant bodies outside Belfast, such as the grand juries of Antrim and Down, could not be safely confided to a whole Protestant body in Belfast?—I think so.

1594. Do you think that in the condition of Belfast it is absurd that either the control of an asylum where Catholic rights are concerned, or the control of the question of industrial schools, where the religious bodies of the Catholic Church are concerned, should be confided to a body entirely of the other creed liable to these local prejudices?—I think it should not.

1595. You were asked whether it was not nervous anxiety that made the Royal Commission recommend that the local justices should no longer act on the bench; whether or not it was nervous anxiety on the part of the Royal Commission, would you say it was nervous anxiety on the part of Mr. Balfour and the Government which induced them to bring in a Bill to pass the recommendation of the Royal Commission into law? They had plenty of time to consider it, had not they, and introduced the Bill in cold blood?—Yes.

1596. Did they give any reason for dropping the Bill?—Not that I am aware of.

The Witness withdrew.

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Mr. PATRICK DEMPSEY, sworn:

Mr. Sexton.

1597. You are engaged in business in Belfast?—Yes.

1598. And you are a ratepayer?—Yes.

1599. You are director of some public companies there?—Yes, I am a director of three public companies.

1600. The meeting at which the petition against the Bill was adopted was an influential meeting?—It was a representative influential meeting.

1601. Were you present?—I was.

1602. Were the leading Catholics of Belfast present?—Yes.

1603. It was not intended to be a great demonstration?—No.

1604. A meeting of representative men?—Yes, it was that.

Chairman.

1605. In the daytime?—In the afternoon.

Mr. Sexton.

1606. The proceedings were publicly reported?—Yes.

1607. I believe your brother, a medical man of distinction, was in the chair?—He was chairman of the meeting.

1608. Have you heard since then or have you seen in any paper any dissent on the part of any Catholic?—I have not, nor have I heard anyone say that it was not a representative meeting.

1609. You assure the Committee that the petition of the Catholic ratepayers, represent the universal feeling of the Catholics of Belfast in regard to this Bill?—Undoubtedly.

1610. I call your attention to the propositions in the petition, first, that the interests of the Catholic inhabitants of the city, in regard to these outside matters of the asylum and industrial schools are distinct from those of the other inhabitants?—Yes.

1611. We know that the Catholics are not represented in the corporation, and you submit by your petition that the powers sought, if given, would operate most unfairly to Catholics and inflict great injustice upon them?—Quite so.

1612. You also believe that Catholic interests would not be fairly dealt with by an Asylum Board controlled by the Corporation?—Quite so.

1613. Do you believe that the separation of the boards would lead to increased expenditure, and that the present system is better and more economical?—Yes, I believe that.

1614. And that the choice of accommodation for patients in the town or county asylum, would be beneficial to health?—Yes.

1615. Taking first the asylum, have you considered this question of the government of the asylum?—With regard to the governors, do you mean?

1616. With regard to the separation of the districts?—In my opinion the separation of the county from the city would entail a heavier expense upon the city after separation than at present. I believe it would be the interests of the ratepayers of Belfast to have a county asylum and a city asylum both under one Board of Management.

Mr. Sexton—continued.

1617. Do you think, at any rate, it would be only common prudence to wait until the two asylums had been opened and set to work before determining by the force of law whether you would have a single or a double board?—Yes, I think it would be more prudent to give it a fair trial.

1618. As the board of governors and the grand jury ask?—Yes.

1619. Have you any doubt that one board administering two large houses 16 miles apart with 300 or 400 patients in each and a number of officials could support them more cheaply by one administration than by two?—Undoubtedly.

1620. You have no doubt of that?—No doubt of it.

1621. Looking to the questions of staff and the general supplies, clothing and various expenses?—Quite so.

1622. About health, have you any doubt that if one board governed the two houses it would be beneficial to the patients?—Yes, I believe it would.

1623. And would promote their recovery and lower the charge on the public?—Yes.

1624. If this one board having a control of the two houses were able to dispatch a certain selected body of patients from the gloomy town asylum to the free and open air surrounding the county asylum?—Yes, I believe the removal would tend towards their recovery.

1625. Do you think the proposal in the Bill would be sufficient, which is simply that one asylum may transfer to them when there is not sufficient accommodation?—No.

1626. That does not touch the question of transfer for health?—It does not, it is only under necessity when they would not have room.

1627. And even taking what it does touch, it is an arrangement by which one board of governors would ask another, "Will you take so many patients from us," the other may say, "We have not room"; then there would be a reference to the board of health to say whether they have room. Then on the question of supplies there would be a reference to the board of control to appoint an arbitrator to say what should be paid. Do you think that a common sense arrangement?—I think it is very absurd. I think in the friction between the two boards the patients would necessarily suffer.

1628. If the two asylums are to be worked together for a transfer of patients is not it desirable that they should be under common government?—Certainly.

1629. About the interests of Catholics in the asylum; we know that the Lord Lieutenant has power to appoint certain governors of the asylum, and that there are certain Catholic attendants there?—Yes.

1630. That they may be something more than a coincidence, because in those boards where the Lord Lieutenant has no power the boards are entirely Protestant, and the Catholics are kept out of employment?—That is so.

1631. Do you consider that Catholics have deep and grave feelings in regard to the necessity for

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[Continued.]

Mr. Sexton—continued.

for having Catholic attendants in asylums where there are large numbers of Catholic patients?—Yes, I think it is very important that a sufficient number of the attendants should be present there when the clergymen are attending the inmates of the place.

1632. To send for the clergymen in case of need?—Yes.

1633. And of death?—Yes.

1634. Or to assist him at mass or administering the sacraments?—Yes.

1635. You do not think that there would be ordinary facility in the exercise of the rights of Catholics and safety of their interests, without a fair proportion of Catholic attendants?—It could not be expected that the same precautions would be taken.

1636. Looking to the action of the corporation and their employment in the City Hall, have you any confidence that if the governors of the asylum were to the extent of a majority members of the corporation there would be any Catholic attendants in the asylum?—I do not think they would appoint one at all. I have no reason to believe they would.

1637. You have no assurance that when the priest administers Extreme Unction there would be a Catholic to assist him in the place?—I have no confidence that there would be one.

1638. I think you said this whole scheme will bear hardly upon the city?—It would; the present city asylum, as far as I can judge by their own figures, would not have sufficient accommodation for the Belfast patients.

1639. First, do you observe under the present system the city would pay half the cost of a new asylum to the county, and half the cost of the extension to the city?—Yes.

1640. By this scheme they practically will pay half the cost of the county asylum and the whole cost of the extension to the city?—Yes.

1641. The city would be mulcted of some 13,000 £?—A very large sum.

1642. When the county patients are removed from the city asylum do you think the staff can be diminished in proportion?—No, I believe it will require the same staff.

1643. Or nearly so?—Or almost; in fact I believe the same staff; the Belfast City Asylum will be full.

1644. Apart from that, as soon as the country patients are removed do not you think the establishment charges will be heavier upon the city?—Undoubtedly.

1645. Heavier than they would be if the staff could be economised by having the two under joint management?—Yes.

1646. Do not you think it a very serious thing at this stage, when the population of the city and county is about equal, to alter the arrangement by which the city and county pay half and half?—Yes; I think it is against the interests of the Belfast ratepayers.

1647. A serious thing to the city?—To the city.

1648. Is it not perfectly clear that seeing that a number of people drift out of the county into the city and get committed there, if instead of paying half and half you had to pay for every lunatic committed in the city, the city

Mr. Sexton—continued.

would be heavily burdened?—Undoubtedly. There are a large number of tramps and people of that class come to Belfast from different counties, and they necessarily would be put upon the city rates.

1649. You think half and half is rough general equity between the county and the city?—Or about that.

1650. And that this new scheme will smelt the city heavily?—Undoubtedly.

1651. I want to get from you the immediate effect of this scheme on the finance of the city. We have heard the number of lunatics at present is 671 chargeable on the whole district, 571 in the asylum and 100 at Ballymena Workhouse?—Yes.

1652. Upon the present scheme the city is liable to pay for half of these, 335?—Yes.

1653. The moment the separation occurs, suppose it occurred at this moment, would the city, instead of paying for 335, have to pay at once for 356?—Yes.

1654. The first effect of the corporation scheme would be to throw 21 upon the city?—Quite so.

1655. Which means 250 a year?—Yes.

1656. And that would be a continual and increasing process, amounting to thousands in a year or two?—Yes.

1657. We have it that there are over 400 lunatics and imbeciles in the workhouse?—Yes.

1658. Are you aware that Dr. O'Farrell, the inspector of asylums, has stated in strong terms here that of those there are 200 who, for health's sake and for humanity and decency, ought to be transferred to the asylum?—Yes; I read his report.

1659. Are you aware that at a recent meeting of the Belfast Board of Guardians the reason given for the support given by the guardians to this Bill was that those lunatics would be transferred to the asylum when the Bill was passed?—Quite so.

1660. Looking to the fact that in all the rural unions of Antrim there are only 53 lunatics, and that in the Belfast Union there are so many as 400, would you say that it is probable that the great majority of those 200 would be chargeable to the city?—Quite so.

1661. Therefore it follows that as soon as the County Asylum is separated from the city there will be nearly 200 persons to be transferred to the City Asylum or workhouse?—Yes, according to Dr. O'Farrell's evidence.

1662. The maximum capacity of the Belfast Asylum will not be at any time more than 540 patients?—About that.

1663. There is an inflexible rule of the Board of Control that they will not allow more than 10 persons to one acre of ground?—Yes.

1664. There are 54 acres?—Yes.

1665. There is no power of extending; the asylum is built in?—Yes.

1666. Therefore it cannot at any time hold more than 540 persons?—Quite so.

1667. After the separation there will be 356 chargeable to the city?—Yes.

1668. There will be nearly 200 to be transferred to the workhouse?—Yes.

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1669. There

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[Continued.]

Mr. SEXTON—continued.

1669. There will be an increase annually, according to Dr. Merrick's evidence, of at least 12 from the city, which will probably be greater as time goes on?—Yes.

1670. The moment the separation occurs the City Asylum will be filled to its utmost capacity?—Yes, immediately.

1671. What will the city have to do, then?—They will either have to build an additional asylum or to build an asylum outside the city.

1672. Of course, if our contention were adopted, and the two asylums were limited by a common board, there would be nothing easier than for the common board to transfer a part of their inmates to the Holywell Asylum, as occasion might require?—Yes.

1673. And owing to the fact that they have 110 acres of land at Holywell, they could have as many as 1,100 patients there?—Yes.

1674. There would be room for indefinite extension?—Quite sufficient for all purposes.

1675. The linking of the two asylums would provide ample accommodation in the county and city for an indefinite number of years?—Quite so.

1676. But the fact that the asylums will not be linked will drive the Corporation or rather the city governors, almost immediately to erect a new asylum either by selling the present one or without selling it?—Yes, or to build an additional one outside.

1677. Does it follow as a matter of course that you could easily find a purchaser for a lunatic asylum and 63 acres of land?—I do not know to what purpose they would devote it.

1678. They would probably sell it for building ground?—Probably.

1679. Suppose they sold it would not they then have to purchase an extensive tract of land near the city, within a mile or so of the city?—They would.

1680. Say of a couple of hundred acres?—Yes.

1681. The requirements of the Board of Control are becoming more exacting?—Yes.

1682. Would not they have to erect a very costly and extensive building?—Yes.

1683. The whole cost of that would fall on the city of Belfast?—Quite so.

1684. Whilst if the present system of management were maintained the cost of providing accommodation for the city and county would fall on the city and county?—Undoubtedly. It would seem to me to be a most proper arrangement to have the two asylums with one Board of Control.

1685. So that probably 150,000*l.* might fall upon the city alone?—At least.

1686. Can you account for the recklessness with which the corporation have plunged into a scheme which promises such serious results to the finances of the city?—I do not know; I am rather surprised at it.

1687. Is it that they are so eager to have control of the asylum?—Control of the asylum and the industrial schools, that may be the only reason.

1688. Do you think they are so eager to have control of the asylum and of the industrial schools that they have not fully considered the

Mr. SEXTON—continued.

consequences?—That is the only explanation that occurs to me.

1689. I want to make clear the change that is proposed. At present the Corporation nominate, we will not argue about words, nominate means appoint, six governors out of 22?—Yes.

1690. And the remaining 16 are independent of the Corporation?—Yes.

1691. Under the new scheme the Corporation would nominate, which means appoint, 12 out of 22?—Yes.

1692. They would have a majority?—Yes.

1693. That makes all the difference considering the fact that the Catholics are wholly excluded from the Corporation?—Yes, it gives them complete control.

1694. Would you be disposed to countenance such a system for a moment?—I would not; I do not consider that it is fair.

1695. It is not a question merely of the Protestantism of the corporation?—No.

1696. It is a question also of the use which they themselves have made of their powers in regard to fair treatment of Catholics?—Yes.

1697. The city of Belfast is so peculiar that I believe a public man made a speech in which he said that if a certain political measure were passed into law every Catholic would be driven out of the neighbourhood of Belfast?—Yes, certainly; these statements have been made several times.

1698. We need not go back very far to get back to the time when the Corporation of Belfast had control of the local police?—Yes, that was in 1865.

1699. And because of their conduct with regard to riots between Protestants and Catholics, Parliament deprived them of the control of the local police?—Yes.

1700. Which they have never had since?—Yes; they brought in the Royal Irish Constabulary.

1701. Parliament declared by an enactment that they were not fit to control a force which had to go between Protestant and Catholic?—Quite so.

1702. You strongly appeal to the Committee not to make a separate district for the reasons which you have urged?—Yes.

1703. I think I may add that a long time may elapse before the Holywell Asylum is opened?—A long time; Downpatrick, I think, was eight years.

1704. I understand the Down district was separated from Belfast in 1861?—Yes, I think somewhere about that.

1705. But the asylum was not opened until 1869?—No.

1706. That is eight years?—Eight years, about.

1707. I suppose a good many years may possibly elapse before this asylum is opened?—Yes; a great many possibly.

1708. During those years the insane from the county will be sent to the city, and the city will pay for their maintenance to a board upon which the county is wholly unrepresented?—Yes.

1709. It might be said and has been said that the grand jury are satisfied; but do you know that the Government have a Bill before the House

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[Continued.]

Mr. Sexton—continued.

House to give Antrim next year a county council?—So I understand.

1710. Suppose that Bill were carried in this Session or next, and that a county council were elected in Antrim, would it be a tolerable state of affairs that for the two years or eight years, or whatever it may be, before the Holywell Asylum is opened, the county represented by an elected body should have to pay for the government of an institution in which they have no voice or share whatever?—It would not be fair.

1711. Would it not be absurd?—Very absurd.

1712. You are aware that the right to nominate, which I call appoint, the governors depends upon the amount of the contribution?—Yes.

1713. In the case of Belfast the Government pay 10*l.* 8*s.* per annum for each patient?—Yes.

1714. The local authority pay the balance, 12*l.* 10*s.*?—Yes.

1715. It follows then that if the corporation were the sole local authority, that is, if the asylum were a city asylum, the corporation would nominate and appoint 12 and the Lord Lieutenant 10?—Yes.

1716. Assuming the number of the board to be the same?—Twenty-two.

1717. Do you think it fair that as there is not one Catholic in the corporation, and as the corporation cannot be said to represent more than three-fourths of the citizens, that is to say, the Protestant part of them, the corporation should have the nomination of all the local governors; the whole 12?—No, I do not think so.

1718. Would you think it equitable that the corporation should be allowed to nominate the same proportion of the local governors as they represent of the population?—Yes; I think that would be a fair arrangement.

1719. To nominate three-fourths?—Yes.

1720. Say nine?—Nine.

1721. Would you think it fair that the Catholic ratepayers of the city in such mode as the Lord Lieutenant might direct should be allowed to recommend the other three?—Quite so.

1722. That would give the city 12; but it would divide it between the creeds in the proportion in which they exist?—Yes.

1723. With regard to the 10 whom the Lord Lieutenant has to appoint, would you be in favour of this, that in appointing he should have regard to the proportion of religious creeds of the population?—I think so; I think it would be only just.

1724. The effect would be that the corporation would appoint nine governors; there would be five or six Catholic governors and seven or eight others appointed by the Lord Lieutenant?—Yes.

1725. In case the Committee think proper to divide the district, do you think that that would give something like a fair assurance of protection of Catholic interests?—I should say so.

1726. As a matter of fact there would be no case elsewhere in Ireland where one local body or one corporation would have a majority of the board of an asylum?—No.

1727. Now about the industrial schools; it has been suggested here that the Corporation of

Mr. Sexton—continued.

Belfast ought to have those powers just as well as the Corporation of Limerick, Dublin, and Cork. I believe you have considerable knowledge of those cities and corporations?—I cannot say that it is very extensive.

1728. Are you aware that there is a religious minority in Dublin, Limerick, and Cork strongly represented on the local councils?—Yes, undoubtedly.

1729. And that there never has been any complaint of their administration of the powers of guardians?—No.

1730. Let us have it clear what are the powers. The powers of the corporation if they pass this Bill in regard to the industrial schools would be absolute?—They would. They would have the power of contributing or refusing to contribute.

1731. Might not they say to any particular school, instead of 2*s.* 6*d.* a week, we will give you only a shilling a week?—Yes, they might consider a shilling sufficient.

1732. As a matter of fact, the rates given by grand juries vary now from 2*s.* 6*d.* to a shilling?—Yes.

1733. But the Grand Jury of Antrim and Down give the best?—Yes.

1734. It might be lowered by the corporation?—Yes.

1735. Is it within their legal power to say, "We approve of the Protestant schools, and we tolerate the Catholic schools, and we shall give the Protestant schools half-a-crown, and the Catholic schools a shilling"; is it not within their power to do that if they obtain this Bill?—I believe it is.

1736. Could not they say, "We will give the Catholic schools nothing"?—They could.

1737. Even though the children had been committed?—Yes.

1738. Could not they say, "We will pay for every Protestant child committed from the city; but we will not pay in any year for more than a hundred Catholic children"?—Yes, they could limit the number.

1739. And, "We will only pay for those, no matter how many there may be in the schools"?—Quite so.

1740. Is it not a fact that the Corporation of Belfast, if they get this power, would have it in their hands to starve out the Catholic industrial schools of the city?—That is true.

1741. Do not the Catholic industrial schools of Belfast depend upon the local committees?—They do.

1742. These institutions, built at great cost by voluntary expenditure and doing a social work, depend for their very existence upon the commitments by the local magistrates of children from Belfast?—Yes.

1743. They could not live without it?—They could not.

1744. Now it is suggested that there has been no complaint made of local magistrates; but is not the difference this, that, under this Bill, the Corporation of Belfast will acquire a new power in regard to industrial schools?—Yes, they will.

1745. And that the corporation acts in close sympathy with the local bench?—Yes.

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1746. How

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Mr. DEMPSEY.

[Continued.]

Mr. Sexton—continued.

1746. How many members of the corporation are there?—Forty.

1747. Is it not true that instead of 14 or 15, there are about 25 of them on the local bench?—I understand there are about 25; I dare say Mr. Black could give the figures.

1748. In case the Corporation of Belfast under the influence, say of one of these spasms of excitement which are so easily generated in Belfast, if it is thought proper to do so, thoughts proper to lower the rate of payment to Catholic schools outside Belfast and to make it lower than inside, do not you think that the local justices would probably follow suit and proceed to commit the Belfast children, not to the Belfast schools, but to the schools in any other part of Ireland for which a lower rate had been fixed?—It would be quite possible.

1749. Or they might require more rigorous evidence in the case of Catholic than in the case of Protestant?—They might.

1750. Their discretion is complete?—Complete.

1751. So that you think it is absolutely necessary for the protection of Catholic interests that the power should be left in the hands of those who have shown that they can use it fairly?—Quite so.

1752. And not be given into the hands of those who, though they do not differ from the others in being exclusively Protestant, do differ from the others in this, that they have shown us by experience that where a question arises of fair dealing between Catholic and Protestant, the Catholic is placed at a serious disadvantage?—Undoubtedly.

1753. Your proposal is that the power of committal should be placed in the hands of one or two stipendiaries?—Yes, I think it would be more satisfactory if it were left to them.

1754. They are detached from local prejudice?—Yes.

1755. Whatever criticisms may be passed on them from other points of view with regard to their functions at any rate in this matter of local conflict between Catholic and Protestant in Belfast, those officials brought from other places are detached through local prejudice?—That is true.

1756. And for that reason they may be fairly trusted to act impartially?—Yes, they would be freer to act in this matter.

1757. Do you think they would commit children, both Catholic and Protestant, upon the merits of the cases?—I think they would do fairly, and would be more likely to adhere to the system by which the local commitals are made to the local schools, a system necessary for their maintenance.

1758. Do you approve of the suggestion of Mr. McLaren, that the Lord Lieutenant should have power in the Bill to appoint a Commission who should have the power to make a division of the wards of Belfast, which should have legal force with the object of giving fair representation to different classes of the inhabitants?—I do.

Cross-examined by Mr. J. D. Fitzgerald.

1759. I do not know whether you have quite realised, that as far as the borough magistrates are concerned, this Bill makes no change at all?—Except in so far as that, they being members of the corporation, they would also have to deal with the committal of children to the industrial schools.

1760. Assume the Bill never to have been brought in, the members of the corporation who are local justices would deal with commitals as they have done in the past?—Possibly, but they would have more interests in lessening the commitals.

1761. And because they had more interest they would deal unfairly?—Possibly.

1762. With regard to the number, you said, I think, that about 30 members of the corporation were magistrates?—I understand 20 to 25, or something like that.

1763. We have been given the names?—I may be wrong.

Mr. T. W. Russell.

1764. We had 15 first, and now it is up to 25?—You may refer to Mr. Black.

Mr. J. D. Fitzgerald.

1765. Mr. Black has given me the names of 11 members of the corporation who are local magistrates. I will read them to you and ask you can you name any others? There is the member *ex officio*, Sir David Taylor, Sir James Haslett, Mr. Connor, Mr. Johnston, Mr. Andrews, Mr. Corbett, Mr. Lowther, Mr. Gaffken, Mr. McCammond, and Mr. Ritchie. Is there any other local justice who is a member of the corporation?—I do not know whether Mr. Patterson is a member of the corporation.

1766. Then out of the 60 there are 11 justices who are members of the corporation. Is the proportion of Catholic magistrates in Belfast larger than it is in either Antrim or Down?—The proportion to the population do you refer to?

1767. No, the proportion to the whole number of magistrates: is the proportion of Catholic magistrates in the city of Belfast larger than it is either in the county of Antrim or Down?—I really do not know the proportion in the county of Antrim. I do not know the number of magistrates there.

Mr. Sexton.] Next to nothing, you may assume.

Mr. J. D. Fitzgerald.

1768. Do you know in the county Down?—No, I do not.

1769. You know enough to assent to the suggestion I make, that there is a larger proportion of Roman Catholic magistrates in the city of Belfast than in either of these two counties?—I think there ought to be a larger proportion.

1770. Very likely, but in fact there is?—I do not know. I am not aware of the number in the county of Antrim.

1771. Is not the proportion of Roman Catholic inhabitants in Antrim and in Down larger than in Belfast?—I really do not know.

1772. Surely that is a matter that appears by the census?—Probably county Down might be.

1773. You

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[Continued.]

Mr. J. D. Fitzgerald—continued.

1773. You have told us you are satisfied with the existing system with regard to industrial schools?—I should say there would be less fault to be found with it at present than there would be if this Bill were passed.

1774. Is there any fault to be found at present?—I am not aware of any complaints. The manager of the industrial schools is here, and will be examined, and give you any information.

1775. As far as you know, there is no fault to be found at present?—It is a matter that I was not inquiring into, and I do not exactly know.

1776. We have been told that the grand jury of Antrim is an exclusively Protestant body?—Yes.

1777. Am I correct in suggesting also that all their employes are Protestants?—The grand jury?

1778. Yes, all the persons they appoint are Protestants?—Yes, I believe they are, almost.

1779. With regard to the grand jury of Down, have all the officers or officials whom they have appointed at present been Protestants also?—I have no knowledge of the county of Down.

1780. I think you may take it from my instructions that that is so. Nevertheless, you find that both the grand jury of Antrim and the grand jury of Down deal quite fairly with Roman Catholics with regard to the industrial schools?—Yes, as far as the amount of the contributions are concerned, I think they are very fair.

1781. Therefore, it would seem to follow that the fact that the majority of the employes of the Belfast Corporation are not Catholics would not prevent that body from dealing fairly with the Roman Catholic children sent to industrial schools?—I do not know that.

1782. You are not prepared to assent to that?—No.

1783. You have rather adopted, I think, the question which was put to you by the honourable Member for West Belfast, that the corporation might pay less for Roman Catholic children than for Protestant?—Yes.

1784. Can you give any reason at all why they would be likely to do so?—We hold an opinion that the Protestants of Belfast, while I do not think they might do such a glaring thing as to allow 1*s.* for the support of Catholic children and give half-a-crown for their own, I do not think they would go as far as to that, but they might, with the great resources at their command, establish a number of private institutions themselves and support their own, and say to the Roman Catholics, "You can look after your own children."

1785. You mean that the Protestants in the city out of their own private means might support institutions?—Yes.

1786. And might call upon the Roman Catholics to do the same?—Yes, they might.

1787. Surely they might do that at the present moment?—No, I do not think so.

1788. Why not?—The grand jury probably would not permit it.

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Mr. J. D. Fitzgerald—continued.

1789. Have the Protestants, in fact, done so more than the Roman Catholics at present?—In what way?

1790. In regard to establishing industrial schools in Belfast?—They have three, as I understand; the Protestants have three schools.

1791. And the Catholics two?—The Catholics two, yes.

Mr. T. W. Russell.

1792. Under the Industrial Schools Act?—

Mr. J. D. Fitzgerald.

1793. They must all be under that Act?—Yes.

1794. I see by the return of the grand jury that they present for 144 in St. Patrick's Male Industrial Schools; is that the Catholic school?—Yes.

1795. And for 142 in St. Patrick's Female Industrial Schools?—Yes.

1796. That would be the Catholic Female School?—Yes.

1797. Those numbers are larger than any Protestant school except the Protestant training ship?—Yes.

1798. It appears at present the Roman Catholics in proportion to their number seem to be well provided with industrial schools?—Yes, the Protestants have a great many private schools, I understand, private places.

1799. Private schools of their own?—Yes.

1800. Which are not industrial schools at all?—So I understand.

1801. That is a different matter; you cannot suggest that any even plausible reason could be given by the Belfast Corporation for paying less for Catholic children than for Protestant children?—No, it would not be a justifiable reason, but still it might be done.

1802. Anything might be done, you know; now, turning to this question of the asylum, may I take it that you first gave attention to the lunatic asylums question after this Bill was promoted?—Yes.

1803. Up to that time you had not concerned yourself with the question of joint or separate management, or anything of that sort?—No.

1804. If the Lord Lieutenant in Council had been able to divide the districts you would not have presented a petition to the Privy Council against it?—We would if they had taken powers to control the industrial schools.

1805. This is a question of asylums. As far as economical management is concerned, I suppose that is a question that equally concerns the Protestant and the Catholic ratepayer?—Oh, yes, of course.

1806. May I take it that if it had not been for the political or religious consideration that has been introduced into this matter you would never have been here objecting on economical grounds to this alteration?—I do not know that. I could not exactly answer that question.

1807. I will not press it any further. You have represented to the Committee as the result of your investigations that you think this system would be more expensive to the city?—I think so.

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1808. Inasmuch

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[Continued.]

Mr. J. D. Fitzgerald—continued.

1808. Inasmuch as they would have to pay for more than-half the patients, whereas they only pay one-half the expenses now?—Yes.

1809. You do not seem to have taken into consideration that under this Bill they got five from all contribution to the county Down for lunatic patients?—Yes, they seem to have been paying too much to the county Down.

1810. They have not been paying too much, because they have been paying what the Act of Parliament obliged them to pay; but do you know what amount they got rid of in the shape of payment to the county Down?—I do not know the exact figures.

1811. Do you know it has been stated in this room that up to the present they have been paying one-eighth of the expenses of the County Down Asylum?—Yes, they have been paying too much.

1812. I think we all agree as to that. They get rid of that in the future?—Yes.

1813. That is a matter which is to be brought into the account. I believe the amount of their contribution covers the expense of about 50 patients?—Yes, that may be correct. I do not know.

1814. That is more than double the 20 odd patients you mentioned?—How do you mean "paying too much"?

1815. Only in the sense that it was inequitable that they should pay. They have been merely paying what they were obliged to pay by the Act of Parliament. Have you also considered this, that if the separation was to be postponed until the new asylum was built the city would have to pay half the cost of the new asylum?—Yes.

1816. And after the new asylum had been built there would have to be an arbitration on an equitable arrangement by which the county would repay to the city what the city had paid?—Yes.

1817. Does it not seem to you much simpler if there is going eventually to be a separation that the separation should take place now, and the county should pay the whole expense of building their own asylum, and build it in the manner that they think proper for the county?—Yes, but I think that the Belfast Corporation ought to make this a complete business on their own part. They have got this old asylum. It will not suit their purposes; it is not large enough. They would have either to take a new asylum or build an additional one, and that would be an enormous expense.

1818. That may be so in the course of the next 15 or 20 years?—I hold that it would take place immediately.

1819. I am afraid not on the evidence we have had?—They would have 15 or 20 more patients in the asylum than they are entitled to under the Act of Parliament.

1820. The asylum would be fit for 540 patients, and at present the total number is 356?—Three hundred and fifty-six, and 200 from the workhouse is 556. Immediately your asylum is overcrowded.

Mr. Sexton.

1821. And there is the annual increase?—Of 12, and probably it would be 14 or 15 when the separation took place.

Mr. J. D. Fitzgerald.

1822. I think Dr. Merrick has gone into that. Only one other matter. It was put to you that under this arrangement the corporation would nominate a majority of the governors?—Yes.

1823. And you assented to that?—Yes.

1824. Do you know of any case in Ireland where a single local authority is allowed by the Lord Lieutenant to nominate a majority of the governors?

Mr. Sexton.] That is what constitutes the peculiarity of the scheme.

[Fitzgerald.] I think the Cork Corporation have not a representative at all on the Board of Governors.

Mr. J. D. Fitzgerald.

1825. That is hardly an answer to my question. I am not familiar with the circumstances of Cork. Is there any case where the Lord Lieutenant allows a single local authority to nominate a majority of the governors?—I really do not know.

1826. You know for instance there are numerous cases like Down where there is a single county having an asylum of its own?—No, I really do not know.

1827. You know the case of Down?—Yes.

1828. In the case of Down does the Lord Lieutenant allow the grand jury to nominate more than half the governors?—I do not know.

1829. If he does not do so in Down why should he do so in Belfast?—I understand the corporation would nominate 12 out of 22.

1830. Why do you understand that?—According to the contribution.

1831. That would apply equally in the case of Down, would it not?—Possibly.

1832. Why do you suppose the Lord Lieutenant would make a difference in Belfast which he has not made in any other place?—I understand the Belfast Corporation, under the Bill, would be getting 12 representatives.

1833. Under the Bill they get no power at all about the governors; were you under the impression that there was power in the Bill to the Belfast Corporation to nominate a majority of the governors?

Mr. T. W. Russell.] That is struck out.

Mr. J. D. Fitzgerald.

1834. Were you under the impression that the provision remained?—I understood there was that arrangement.

1835. Where did you get that understanding from?—Reading the papers.

Further examined by the Committee.

Mr. Sexton.

1836. What was struck out was the proposal that the corporation should nominate 12 out of 18?—Yes.

1837. That being struck out, the ordinary system will prevail in Belfast?—Yes.

1838. The

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[Continued.]

Mr. Sexton—continued.

1838. The ordinary system, as far as you are aware, is that the bachelors nominate in proportion to their contribution?

Mr. J. D. Fitzgerald.] No, I think not.

Witness.] Oh, yes.

Mr. Sexton.

1839. Are you aware that the Irish Government some years ago issued a circular in which they arranged that future representation should be in proportion to contribution?—Yes.

1840. As in Belfast it will be only one local contributory body, and they will contribute more than the Government; the local body will have a majority of the governors?—Yes.

Sir Edward Harland.

1841. I think, in reply to Mr. Sexton, you stated that you thought it would be an advantage for the two asylums to be under joint management, so that the patients might be sent from the Belfast Asylum to enjoy the change to the country at Antrim?—Yes.

1842. Might not there be an interchange also of patients who had been sent to the Antrim Asylum from the county; might there not also be cases where it was afterwards represented by representatives in Belfast that they might like to have the patient removed to Belfast, so as to be near the relatives there?—Yes.

1843. In that case do you not think that the two separate bodies would come to a clear and satisfactory understanding as to the mutually agreed cost for the maintenance in that way, where the interchange of patients might be desired?—Yes, but I think it is a very absurd proposition that two distinct bodies should work more in harmony than one body having the control of the two establishments.

1844. We have had a great deal of evidence to show that each asylum would be sufficiently large to secure all the advantages of a large establishment in getting a reduction of prices for all the commodities?—Yes; so far as supplies are concerned, I do not think there is much question of that.

1845. The question put to you arose from the idea that the county asylums might seek to charge equivalent prices to the Belfast authorities on the one hand, whereas if this incident occurred which I have described to you, you see that the Belfast authorities would have an opportunity as it were of retaliating, if necessary, as to the prices desired to be charged by them in the case of patients committed to Belfast, so that in that case the two bodies, I presume, would reasonably come to an agreed price in case of an interchange of patients?—Is your suggestion that the two bodies would be more in harmony than one body?

1846. No. What I wish to ask you is this: Do you not think in view of patients being exchanged from Belfast to Antrim on the one hand, or from Antrim to Belfast on the other, it would be reasonable that the two separate managing bodies should come to a clear and just understanding as to what the prices should be per head in such a case?—Yes; but I think one body could do it more economically and systematically,

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Sir Edward Harland—continued.

and with greater satisfaction and benefit to the patients.

1847. The only point is this: We have had evidence to show that each asylum will be sufficiently large to secure the economy which is desired by all. Now, with reference to the immediate filling of the Belfast Asylum by the transfer of 200 patients from the poorhouse in Belfast, I think if you were to refer to the evidence given by Dr. O'Farrell you would find that whilst he strongly urged that the 200 might fairly and with advantage be removed from the Belfast poorhouse, it would not be desirable he thought for the 200 to be put into an asylum where there were acute cases, and I think also Dr. Merrick suggested that there should be an intermediate or separate building entirely for the treatment of these very mild cases?—Yes. I understand there are 450 or something like that number of lunatics and imbeciles in the workhouse. In my opinion it is not a place for them at all, even for the 450.

1848. Do you agree with the medical evidence we have had to the effect that not even 200 of them should go into Belfast Asylum?—Yes. I see that the Belfast guardians are anxious to have them removed.

1849. At that rate it would prolong the period at which the Belfast Asylum would be capable of meeting the requirements upon it in case of separation in view of the 200 not going direct?—Yes, I hold that the Belfast Asylum is too small, and by enlarging it in conjunction with the county, and keeping the two under one board, you would be saving expense to the county and to the city.

1850. Were you right do you think in transferring these 200 straight from the poorhouse to the asylum?—Yes. I have read the evidence of Dr. O'Farrell; he recommends that they should be removed from the workhouse.

1851. He does not recommend that they should be removed into the asylum; he says into a separate building?—A separate wing. Of course that is a matter of arrangement.

1852. He did not say into a separate wing; he said a separate establishment?—?

Mr. Kew.] He said they ought all to be under legal detention.

Sir Edward Harland.

1853. If it were a wing, that would have to be built upon this piece of ground which you say is too small for an enlargement of the asylum, and therefore I presume it would be into a separate building?—Yes, at Holywell.

1854. Oh, no, somewhere in the neighbourhood of Belfast, as might be determined upon between the union and the corporation for such intermediate class of patients?—I do not think they ought to be in the union at all.

Mr. Hincks.

1855. You entirely agree with Dr. O'Farrell and Dr. Merrick in the opinion that they ought not to be in the workhouse?—Yes.

1856. The evidence of Dr. O'Farrell, who is an expert on this subject, is that they would be better provided for in an establishment for imbeciles, other than an asylum and other than a workhouse,

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[Continued.]

Mr. Hincks—continued.

workhouse, and he went farther, and in answer to a question of mine he said there would be no difficulty in providing such an intermediate establishment within the limits of the city of Belfast, so as to relieve the pressure which will be if it is not at once thrown upon the asylum?—Do you allude to the balance of the 450 or to the 200 that are lunatics?

1857. I refer to the class of cases; whether they are now in the asylum or in the workhouse; the case of people perfectly harmless and perfectly incurable, but who simply want what you may call a hospital in which to be taken care of. There are a large number of those, and it is Dr. O'Farrell's notion that they would be better provided for in a separate establishment, and if that idea were carried out the pressure upon the asylum would be relieved?—I did not understand that. I understood that there are 200 of the 450 that ought to be in an asylum; some of them are dangerous; and that the balance of the 450 are innocuous such as you describe and might be allowed to remain in an institution of that description.

1858. At any rate the establishment of another institution would relieve the pressure?—Yes.

1859. I do not understand that you give a definite and final opinion against the separate management, but merely you think the experiment ought to be delayed until the joint management has had a fair trial?—Yes.

1860. You are aware that any separation which may eventually prove to be desirable cannot be carried out without an Act of Parliament?—Yes.

1861. And that really is the reason why this Act is introduced now, because the arrangement will not be carried out without fresh legislation?—You mean the joint arrangement.

1862. The separate arrangement. The districts cannot be separated without legislation?—I think the present Board of Governors should build the asylum at Holywell, and work them both under one board, and give it a fair trial.

1863. And if eventually it appears better to have two boards, then separation should take place?—I do not think they would find that any difficulty would arise.

1864. But assume that they did, you think then that separation should take place if it were shown that it was better?—Of course that is a natural consequence.

1865. Then there would be again a reference to Parliament, and again additional expense. Do not you think it is better that the matter having been raised should be settled now?—I do not know. I think it is better for Belfast that the two asylums should be under one board.

1866. That is hardly an answer to the question. Do not you think the question had better be settled one way or the other now?—I think the interests of the patients should be the primary consideration.

1867. Experience only can prove what is best for the patients; I am talking now of the interests of Belfast; would it not be better that the question should be settled either one way or the other now?—Yes; but I do not think this will settle the question as far as Belfast is concerned.

Mr. Hincks—continued.

1868. Why not?—I hold that the asylum is quite too small.

1869. I am talking of the separation of the districts; the question will be settled now; the passing or non-passing of the Bill will settle the question for the time whether the districts are to be separate?—Well, I really do not know.

1870. Why do you say it will take eight years before the asylum at Holywell will be fit for the occupation of the inmates?—It might not take so long. I merely instance the case of the county Down, where it took eight years. I expect we shall build it in three or four.

1871. You are aware that the land is already bought?—I understand so; it seemed to me at quite too high a price, about double its value.

1872. Whether it is eight years or two years the county of Antrim will be in considerable difficulty; it would lead to confusion and difficulty?—During the time of the building?

1873. Yes, until the new asylum was built, and the new arrangements were completed?—Yes, no doubt.

1874. You are aware that the county of Antrim have withdrawn any opposition to this Bill?—So I am told.

1875. They are the best judges of their own business?—Yes; I have no interest in the county of Antrim.

Mr. T. W. Russell.

1876. Have you read Dr. O'Farrell's evidence?—I have.

1877. He is an expert in this matter?—I believe so.

1878. Are you aware that he gave very strong evidence in favour of the separation?—I do not know with regard to that; I was dealing more with the report of the workhouse.

1879. You told us you had read the evidence?—No, I beg your pardon. I read Dr. O'Farrell's report with regard to the lunatics in the workhouse.

1880. You have not read the evidence that he gave before this Committee?—Only part of it, with regard to the number of 200.

1881. In fact you have taken so little interest in the inquiry that you did not read the evidence of the expert on this question?—I read that much of it.

1882. You may take it from me that Dr. O'Farrell gave the strongest evidence in favour of separation, and that he also stated that it was the whole tendency to separate in England and in Ireland, and that he approved of it, and that the Board of Control approved of it. That is the substance of the evidence that Dr. O'Farrell, as an expert, gave before the Committee. Do I understand you come here as a ratepayer, or as an expert in lunacy matters?—As a ratepayer.

1883. Then you would not, I presume, place your evidence upon that matter against that of this expert?—Undoubtedly not.

1884. There is one matter, however, upon which you are as competent to judge as Dr. O'Farrell, or any other person, and that is the matter of economy?—Yes.

1885. You are strongly of opinion, I believe, that it will be an economical arrangement to have these

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[Continued.]

Mr. T. W. Russell—continued.

these boards linked; to have one board?—Yes, I believe it would.

1886. Have you worked that out in any way?—No, I have not gone into figures in the matter.

1887. It is really a matter of figures; for example, supposing that you had the two asylums under one board of governors, would you save anything, first of all as regards the medical attendance?—Yes, I should say you would. I should say that in the case of the two asylums with one board of governors you would have a general medical superintendent paid a high salary, a highly-qualified man, and he with an assistant could look after the two, whereas with two separate establishments you should have two highly-qualified men.

1888. Are you aware that both Dr. Merriek and Dr. O'Farrell stated that that would be impossible, and that no medical man would take such a charge?—I do not know. I understood that Dr. Merriek was in favour of that proposal at first.

1889. You may take it from me that that is not according to his evidence?—Then probably he has changed his mind.

1890. At all events your surmise upon this question is opposed to the evidence of the two expert witnesses whom the Committee have before them?—Oh, no.

1891. I beg your pardon, it is Dr. O'Farrell and Dr. Merriek have both given evidence before the Committee that you could not make such a medical arrangement as that, and that if you had the two asylums under one board to manage you would have two competent staffs that you could not save one expense by that, as far as the medical staff is concerned. Is there anything else. Take the matter of clerks. How would you save in the matter of clerks?—I should say there could be a considerable saving on the matter of clerks. The bookkeeping could be done in one establishment, whereas you must have a full set in each.

1892. Are you aware of the staff that is in existence now?—I do not know the exact extent of it.

1893. Then I must tell you the evidence we have had?—I am merely giving you a general opinion with regard to the economical matter.

1894. A general opinion founded upon no accurate knowledge of the facts?—Yes; I am speaking with my knowledge of commercial business. It is only common sense to believe that one staff of officials or one set of bookkeepers could do it cheaper than two sets.

1895. There is this point involved, you are not aware as to the actual number of employes of this kind in the asylum now. You would be greatly astonished probably with your commercial knowledge to know that there are only two?—Well, then, with the other asylum you would require four.

1896. And that the experts have both given evidence before this Committee that that would not be the case?—Possibly.

1897. As regards health you are of the same opinion as the previous witness, and in fact Dr. Cummings, whose opinion is entitled to very

Mr. T. W. Russell—continued.

great respect, has the same idea, that it would be a matter conducive to the health of patients if the board of governors in Belfast were able to send a certain class of patient to County Antrim Asylum for change of air. Do you think that would be a good thing?—Yes.

1898. Could that be arranged under Clause 7 of the Bill, which provides for an interchange of patients now?—Not so conveniently, because you have another board to deal with in the other asylum, and frictions might arise between the two boards.

1899. You are not to take for granted that those are to be hostile boards?—No, nor that they are to be friendly.

1900. Clause 7 provides for the interchange of patients where the accommodation is deficient, and under that clause it could easily be provided; the Committee could insert a provision that in the small number of cases which Dr. Merriek spoke of in which there would be an advantage it could be arranged?—Possibly.

1901. Coming to the question of the past conduct of the asylum, there have been very few Catholic employes I believe?—I believe but a few.

1902. Are you prepared to give the Committee any information regarding any case of hardship under which any of the patients have suffered?—No; I have always heard Dr. Merriek spoken of as a very attentive man.

1903. Then the Committee may take it for granted that in this asylum where there is a large number of Catholic patients, and a small number Catholic attendants, and a small representation of Catholics on the board of governors, you are able to give the Committee no information of any case of hardship that a patient has ever suffered from?—No, I really could not answer a question of that sort.

1904. I submit that if you have heard of a case you can answer; if you have not heard of a case you cannot?—There may be cases that I have not heard of.

1905. You are not here to tell us what cases you have not heard of, but to give us your own evidence, and I may take it you have not heard of such a case?—Quite so.

1906. Regarding the appointment of governors, Mr. Sexton has pointed out that under the peculiar circumstances of Belfast the Corporation would have the recommendation of a majority of the governors of this asylum?—Yes.

1907. That is because their contribution would be larger than the contribution of the Government?—Yes.

1908. Is not it the tendency now-a-days to throw power more and more into the hands of public elected bodies. Is not that the general tendency of legislation?—That is so.

1909. Do you object that if the city of Belfast gives a larger contribution for the maintenance of lunatics in this asylum, the city should have a larger power of recommendation than the Lord Lieutenant?—Yes, under certain circumstances.

1910. What are the circumstances?—If all the people were not represented.

1911. You object then to this elected body because it is a Protestant body exclusively?—I do.

13

1912. You

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Mr. DEMPSEY.

[Continued.]

Mr. T. W. Russell—continued.

1912. You do not object to the principle; to the tendency of legislation to throw power into the hands of elected bodies?—No.

1913. You object, in the case of Belfast, because there the electors have returned a Protestant body?—Yes; because of the arrangement of the wards so that the Catholics have not representation.

1914. Assuming that this Corporation of Belfast under the Bill sent forward 12 Protestant names it would be possible for the Catholics of Belfast to memorialise the Lord Lieutenant upon that subject?—Oh, yes of course they could not be deprived of that privilege.

1915. And it would be quite possible for the Lord Lieutenant if he thought fit to coörcé any thing wrong that he might have imagined the Corporation to have done?—Yes; but I do not think it is likely.

1916. But he has appointed Roman Catholics himself?—Oh, yes; but the 12 recommended by the Belfast Corporation in all probability would be the governors.

1917. You said something about Cork. You said Cork had no representation?—So I understood.

1918. Are you aware why?—I am not.

1919. Will you take it from me that the Lord Lieutenant in the case of Cork—

Mr. Sexton.

1920. We would rather not take it from you; let us have it from the witness?—You are asking me a question. If I do not know it that should end the matter.

Mr. T. W. Russell.] In the case of Cork the Cork Corporation was held by the Lord Lieutenant—

Mr. Sexton.

1921. This is getting an *ex-parte* statement on the records, and I object?—I have answered the question that I do not know it, and I think that should settle the matter.

Mr. T. W. Russell.

1922. You dropped Cork into it yourself?—I have answered your question.

1923. The real reason I mention Cork was that you referred to it in your direct examination.

Mr. Sexton.] I submit that if we are to go into the question of the powers of the Lord Lieutenant in regard to a recommendation we had better do it by evidence than by general statement.

Mr. T. W. Russell.

1924. Are you aware in the case of the city of Cork that the Lord Lieutenant vetoed the nominations of the council?—I am not aware of the particulars of the matter, but I read some report in the paper.

Mr. Sexton.

1925. Is Mr. Russell himself aware of it?—

Mr. T. W. Russell.

1926. I am. (To the Witness.) You read in the papers something about it regarding the city of Cork?—Yes.

Mr. T. W. Russell—continued.

1927. Therefore it is in the power of the Lord Lieutenant at all events to veto it?—I assume so; I do not know.

Chairman.

1928. Do you know anything of the circumstances of Cork?—I do not.

Mr. T. W. Russell.

1929. Are you aware that the town of Carrickfergus would have this power without coming here for a Bill at all?—Which power.

1930. Are you aware that Carrickfergus is a county of a city?—Yes, it is.

1931. Belfast is not?—Belfast is not.

1932. That makes all the difference?—Well, I do not see why it should not be.

1933. You say there are a large number of lunatics in the workhouse in Belfast?—Yes; by Dr. O'Farrell's report 450 or something like that.

1934. Are you aware that that is true unfortunately of nearly every union workhouse in Ireland?—I have no doubt there are some in some of them; in some workhouses I understand there are none.

1935. Going to the question of industrial schools, the Catholics of Belfast have a very deep interest in these matters?—Yes, of course.

1936. A much larger interest than the Protestants?—Which way do you refer to?

1937. You say there are three Catholic schools and two Protestant?—No, three Protestant and two Catholic.

1938. According to this I see there are 283 children in the two Catholic schools, and 379 in the three Protestant schools?—Yes.

1939. Therefore the Catholics have a much deeper interest in the question, seeing that 75,900 of the population have 283 of those children and 200,000 only 379?—The Protestants have a great many refuges and institutions where they support them out of their own funds I understand.

1940. That is true of the Catholics too I should say?—Not to such a large extent.

1941. I do not think the Catholics are defective in private philanthropy any more than the Protestants?—If a child is brought forward it is a question of faith; it is more convenient to send them to a private establishment than to have them committed.

1942. Taking the question of the local justices, they have the power to commit?—The borough magistrates, yes.

1943. Have they exercised these powers from the beginning of the Act?—Yes.

1944. And the constitution of the borough bench is practically the same as it was?—There has always been a resident magistrate present at these committals I understand.

1945. I suppose that will practically be the case in future as well. There are two resident magistrates, I think, in Belfast?—Yes.

1946. Therefore, I suppose we may assume that they will take an active part in the committal work?—Yes.

1947. They are in constant attendance?—One presides in each court.

1948. In constant attendance?—Yes.

1949. Therefore,

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[Continued.]

Mr. T. F. Russell—continued.

1949. Therefore, in any future commitments, as in the past, there will be a resident magistrate there?—It is to be presumed. The borough magistrates could outvote one resident magistrate.

1950. Regarding their action in the past, have you any specific complaint to lay before the committee of any injustice of the borough bench, in committing these children, being done?—I do not think the borough magistrates have exclusively taken charge of the commitments.

1951. That is not an answer to the question. I ask you from your knowledge of Belfast, and I know it is very great, have you any case that you can lay before the Committee regarding commitments of children to these schools by the borough bench where any injustice has been caused. I use the word "injustice" in its widest sense. Can you bring a case?—Do you ask me if the borough magistrates have committed a Catholic child to a Protestant school.

1952. I will ask you that if you like. You have no knowledge of that?—No.

1953. Have you any knowledge of where any injustice has been done to a Catholic child under these circumstances?—There have been many cases where Catholics, that we believe, ought to have been committed to Catholic industrial schools, have been committed to Protestant schools.

1954. That is in the case of mixed marriages?—It may be. It might not be altogether a case of mixed marriage; it might be where one parent was deceased and the other alive.

1955. I need not tell you, in giving evidence before a Committee like this, that we cannot act upon statements like that. If you have any special case, and if this has been a hardship, you must have these special cases. Can you produce anything to the Committee?—I have not the particular names of the parties before my mind.

1956. In the cases of mixed marriages all over Ireland, they cause serious disturbances at poor law boards and things of that kind?—There is a case before my mind at present. I had a boy in my own employment some six, or seven, or eight years of age, a little messenger boy; he was brought up a Catholic by his mother; his father was a Protestant. The father consented to the boy being brought up a Catholic first, but from some motive or other the father changed his mind, and had the boy brought before the magistrates for some offence he had committed, and he was sent to a Protestant school against the boy's wish, and against the mother's.

Mr. J. D. Fitzgerald.] That is in accordance with the ordinary law, that the father has the control.

Mr. T. F. Russell.

1957. You are not prepared to say that this Committee should enter on the question of changing the ordinary law of the land?—No, but it occurred to me the boy should have a voice in the matter.

1958. A boy of seven years of age?—Yes.

1959. Do you think he is competent to judge better than the father? I may take it roughly,

Mr. T. F. Russell—continued.

that with your experience of Belfast, you are not able to give any case where the borough bench have acted in a spirit of injustice in these cases?—No, it is a matter that I did not look up.

1960. You are aware that the Corporations of Dublin, Cork, and Limerick, have these powers that the Corporation of Belfast now seeks?—Yes, so I understand.

1961. You do not object to that?—With reference to the industrial schools, I do. I object to the Belfast Corporation having the power.

1962. You do not object to the Dublin, Cork, and Limerick Corporations having it?—No, certainly not.

1963. So that it is only when you come to Belfast that you raise the objection. On what ground do you differentiate between these southern corporations and this northern corporation?—Because the representation is not the same.

1964. Then, am I to take it, you tell this Committee that you object to this power being placed in the hands of the Corporation of Belfast, because the people of Belfast have returned a Protestant Corporation?—Until the Belfast Corporation gives us fair play.

1965. In what way have the Belfast Corporation the power to prevent your having fair play?—Owing to the way the wards were arranged at the time they were fixed. They were so manipulated that the Catholics could not possibly have the chance of returning members.

1966. What year were they fixed?—I do not know exactly the year.

1967. Who manipulated them?—It was charged against the then town clerk.

1968. The town clerk, in his evidence, stated that he had no objection?—I do not think Mr. Black was town clerk then.

Mr. J. D. Fitzgerald.] I am told the wards were fixed by a public Act of 1853.

Mr. T. F. Russell.

1969. If the wards were settled by a public Act, do not you think the Government was to blame?—The local authority fixed the boundaries themselves, and so arranged to put a large Protestant district into a Catholic district, so as to outvote the Catholics.

1970. We will not go into the jerry-mandering of the thing. The Corporation, by their evidence here, have given a plain statement that they do not object to anything?—The wards are too large and unwieldy.

1971. That is not a question that we can take up. The House has expressly prevented us taking up such a question?—It bears on the question of representation.

1972. You have, at all events, all that Parliament can give you in the way of suffrage?—No, I do not think so. I think Parliament could do a great deal more for us.

1973. In what way?—By giving us an opportunity of being represented; by carrying out the proposal of the Bill introduced by Mr. Balfour.

1974. What is that?—To re-distribute the wards.

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1975. As

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Mr. DEMPSEY.

[Continued.]

Mr. T. W. Russell—continued.

1975. As regards suffrage, you have the best possible suffrage in Belfast?—Yes.

1976. You have household suffrage?—Yes.

1977. So that, so far as the vote is concerned, every household has it?—Yes; Mr. Sexton obtained that for us, I believe.

1978. I am glad to say I helped him, and willingly helped him. That is quite true that every household has a vote?—Yes.

1979. It simply seems that you wish a redistribution of the wards. You would only then secure a minority?—That is all we desire.

1980. Then if the majority in Belfast is so bad the majority would be capable of doing it. The majority is so overwhelming that the majority would be quite capable of doing whatever they do now?—Yes, but their actions would be open to criticism. If we had representatives in the Council there are a great many things that might be prevented being done that are carried out at present.

1981. You could not prevent them being carried out?—No; but we would appeal to their honesty and fair play in many cases.

1982. To their honesty and fair play! These are the attributes you are denying to them, and which you say they disregard. With reference to what you think would be the possible action of the Belfast Corporation as to these industrial schools, they would have to make an agreement with the managers, supposing they got the powers?—Yes.

1983. Do you allege that they would not make these agreements?—I do not know what they would do. I have doubts that they would do nothing they could help in the interests of the Catholic ratepayers, or the Catholic children of Belfast.

1984. We have had two members of the Belfast Corporation examined, Sir James Haslett and Mr. Connor?—Yes; I think I have read their evidence.

1985. They both stated that nothing of that kind would occur?—That is no guarantee.

1986. You refuse to take their word?—I think that either Mr. Connor or Sir James Haslett would probably have to do whatever the party desired they should do.

1987. You deliberately tell this Committee that these two gentlemen, who have stated that they would not do it, notwithstanding the oath they have taken here, and the evidence they have given, would do it at the request of the party?—Do you ask me to believe that these two gentlemen are the whole Corporation of Belfast.

1988. I do not, but they have been examined here on the part of the Corporation of Belfast?—Yes, giving their individual opinions.

1989. They have stated on behalf of the whole Corporation that nothing of the kind will occur?—That is no guarantee.

1990. You refuse to take that as a guarantee?—Certainly.

1991. Then you think that the Corporation of Belfast would refuse to make these agreements, and allow the children to run about as waifs and strays?—They might.

1992. Do you think they would?—I really do not know. Extraordinary things have taken place

Mr. T. W. Russell—continued.

in Belfast. Under ordinary circumstances Belfast is all right, but you are aware there are sometimes cases turn up when people are not accountable for what they do.

1993. Am I to take it from you that you think the Corporation of this great city elected by the people of the city would deliberately refuse to enter into an agreement according to the Act of Parliament and allow their children to run about the streets as waifs and strays and to grow up criminals. Do you charge that against the Corporation?—I do not know what they might do or to what length they might go.

1994. Do you think they would do it?—Judging from the point of fair play towards Catholics in the past it is possible they would go any length.

1995. Do you think they would do it?—I ask you that question, and I am entitled to an answer?—Do you ask me whether they would?

1996. I have asked you the question half-a-dozen times?—Do you ask me with reference to the two witnesses or the Belfast Corporation.

1997. I put it categorically. Do you think that the Corporation of Belfast, as a whole, with the powers vested in them by this Act, when it is passed would deliberately refuse to make the legal agreements with Roman Catholic Industrial Schools, and that rather than make them they would allow Roman Catholic children to go about the streets of Belfast and grow up criminals? Do you charge that against the guardians of your city?—I do not think they would go so far. There are two ways of doing a thing. That is an extreme case you are putting.

1998. I will now come to the other cases. That is the first one. You do not think they would do that?—I cannot quite give an opinion whether they would or not. It would very much depend on the circumstances.

1999. You think they might do it?—Possibly.

2000. Would they be likely to do it?—How am I to answer for what these gentlemen would do.

2001. But you have come here to speak about them?—I have come here to give my opinion.

2002. What is your opinion on that; I am trying to get at it, and I cannot?—My opinion is that under pressure they might go that length.

2003. Do you think that pressure would be likely to be applied?—It might be.

2004. You have no action on the part of the grand jury to fortify you in that opinion, and that is an exclusively Protestant body, is it not?—Yes.

2005. You get no such action on their part?—No. The grand jury are not elected in the same way that the members of the Belfast Corporation are.

2006. They are Protestants?—Yes.

2007. But they are not elected?—They are not responsible to constituents in the same way as the Belfast Corporation are.

2008. So that it is the people of Belfast you charge and not the Corporation?—No, it is not. It is the Corporation themselves.

2009. Why do you charge the Corporation; because they are elected?—We have only them to look to and their acts in the past.

2010. You

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MR. DENFSEY.

[Continued.]

Mr. T. W. Russell—continued.

2010. You have just told me that the grand jury are Protestants, and are not elected?—Yes.

2011. The Belfast Corporation are Protestants, and are elected. Is the difference in the election?—I will explain it in this way, that a member of the grand jury might afford and could afford to do some generous act, and he would be responsible to no person for doing it. If a member of the Corporation took the same course he might lose his seat at the next election.

2012. Then it comes to this, that you charge it not against the Corporation but the people of Belfast?—They are part and parcel of the same body.

2013. One other question about the industrial schools. You think the stipendiary magistrates would be likely to act more fairly than the local justices in these matters?—Yes; the Catholics of Belfast have asked that before of the Government to place the whole administration of the law in Belfast in the hands of the stipendiary magistrates.

2014. Supposing Mr. Cecil Roche was one of the resident magistrates in Belfast, would you prefer Mr. Cecil Roche to Sir James Halliwell? Come now, let us hear that?—We had Mr. Clifford Lloyd as the resident magistrate in Belfast, who was as good a one as anyone we ever had.

Mr. Seaton.] Surely there is no occasion to use those adjurations; the witness is giving his evidence very fairly.

Chairman.] I do not think we need introduce the question of a particular person.

Witness.] What is the objection to Mr. Cecil Roche. You seem to know more about him than what I do.

Mr. T. W. Russell.] I simply take a stipendiary magistrate.

Chairman.] I think we had better avoid the introduction of names.

Mr. T. W. Russell.

2015. You prefer the removable to the local justices?—Yes, in a great many cases.

Mr. T. W. Russell.] I am glad there is something to be said for them.

Mr. Knorr.] I think you were asked by Mr. Fitzgerald about the want of liberality shown by the grand juries of Down and Antrim as to the officials whom they employed.

Mr. J. D. Fitzgerald.] Not want of liberality. I simply referred to the fact that all the officials of those bodies were Protestants, and that did not prevent them doing justice to Roman Catholics.

Mr. Knorr.

2016. I do not care how it is put, but as a matter of fact, have you any notion, roughly, as to the number of people who are in the employment of the grand jury?—No; but I should expect very few.

2017. Do you know that the county surveyors

Mr. Knorr—continued.

are appointed by the Lord Lieutenant?—Yes.

2018. I cannot think off-hand. I do not know whether Mr. Fitzgerald has any more in his mind when he makes this general statement, of any official of any importance except the secretary who is appointed by the grand jury. Can you think of any?—The bailiffs, I suppose.

Mr. Fitzgerald.

2019. I am given the names of about ten, and I believe they run in this way: there is the secretary, the treasurer, the solicitor, and a certain number of baronial constables, or cess collectors?—Yes, that is so.

Mr. Knorr.

2020. The cess collectors are generally appointed in a statutory way after a tender?—By the associated cesspayers.

2021. In Belfast, under the Corporation of Belfast, all the work is done by the Corporation; or the greater part of the work, employing directly?—Yes.

2022. The grand juries, by statute, do their work by small contracts all over the country?—Yes.

2023. So that as a matter of fact there is no analogy whatever between the two cases?—Not the slightest.

2024. In their contracts the grand juries of Antrim and Down do not make a distinction, as a matter of fact, they could not, between Protestants and Catholics?—No, that is with reference to road contracts.

2025. They give them to Catholics?—A great many Catholics are road contractors, I know.

2026. It has been pointed out that Belfast has been losing greatly under its arrangement with County Down. Perhaps, as a ratepayer of Belfast, you have been surprised to hear that that was due in a large measure to the negligence of the town authorities of Belfast?—So I understand.

2027. Due to the fact that some 460 £ a year has been paid by Belfast which should have been paid by Down?—Yes.

2028. In consequence of the number of lunatics left in Antrim Asylum?—Yes.

2029. Then, as to the arrangement proposed, it was suggested by Mr. Fitzgerald, that it was not in evidence, no doubt, by mistake, that now half the governors were appointed by the Lord Lieutenant under the terms of a circular. I think you will find that at page 3 of Mr. Black's evidence, and it is in evidence as a matter of fact. Mr. Black said that it was the practice under the circular issued by the Lord Lieutenant to appoint half the governors on the recommendation of the local bodies. Now, as I understand, that means that six are appointed now by the Corporation?—Yes.

2030. Under the Bill, 12 will be appointed by the Corporation?—Twelve out of 22.

Chairman.] I think there is nothing in the Bill directing that?

Mr. Knorr.] No, nothing directing it.

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[Chairman.]

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Mr. DEMPREY.

[Continued.]

Chairman.] That is left under the ordinary law.

Mr. SEaton.] Then, striking out Clause 4, the ordinary system would apply.

Mr. KNOX.] It is the practice, as Mr. Black has said, to have half the members appointed by the Lord Lieutenant.

Chairman.] That would operate against you.

Mr. SEaton.] That evidence is inaccurate.

Chairman.] If that evidence is correct, the Lord Lieutenant would appoint 11, and the Corporation the other 11.

Mr. SEaton.] As a matter of fact they appoint proportionately to the contribution.

Mr. KNOX.

2031. I find, as a matter of fact, it is my mistake, and that Mr. Black was accurate. He did say it was according to the proportion of contribution. So that a majority of this body so constituted would be members of the Corporation. I believe members of the Corporation of Belfast act very closely together?—Yes.

2032. It is a common phrase in Belfast, not merely amongst Catholics, but amongst certain others that if anything is done by the Corporation they talk about the Corporation clique?—Yes.

2033. Do not you think it would be an arrangement singularly liable to abuse, as a matter of corruption with reference to contracts, to have a body like this which would be practically under the control of the Corporation giving contracts in all probability, even to members of the Corporation or their partners?—Yes, quite so.

2034. I do not want to go into any details of this matter, but we all know that corporations are liable to corruption?—Some members of the Corporation in business are in partnership, and carry out contracts.

2035. As a matter of fact that is so?—Yes.

2036. I do not want you to give any instances, but you could give instances if necessary?—Yes.

2037. To some extent in the case of direct corporation contracts that is limited by the provisions of the Municipal Corporations Act?—Yes.

2038. But there would be nothing to prevent that sort of thing being done under this Bill?—Nothing.

2039. In fact, they might give the contracts to themselves instead of to their partners?—Yes.

2040. Now attention was called to Dr. Farrell's evidence, and his statement as to the 200 lunatics who ought to be removed from the workhouse, and it was suggested that the effect of his evidence was that they should be put in some third place, not the workhouse, and not the asylum?—Yes.

2041. You are aware, are you not, that under the present law no such third place can be provided?—No, I do not know of any third place. I do not know what you would call it.

2042. In fact, it comes to this, that under the present law a pauper lunatic cannot be kept in

Mr. KNOX—continued.

legal detention except in the lunatic asylum provided by the Board of Control?—Yes; I do not think they ought to be in the workhouse at all.

2043. Under the present law there is no place where they can be kept under legal detention except in the asylum?—Except in the asylum.

2044. So that these lunatics, if they are moved from the workhouse, will have to be sent over to the Asylum Board to be kept as the Asylum Board choose?—Yes.

2045. Either in this asylum or in some other under the Asylum's Board?—Yes, quite so.

2046. Therefore the third alternative suggested is not a practical one?—It is not.

2047. There is no room for it?—No.

2048. And you know, as a matter of fact, the board of guardians of Belfast do not intend to be responsible for these lunatics any longer, and now say if this Bill is passed they intend to send them over to the board of governors?—Yes. I see a letter from one of the guardians in the newspaper which says as soon as this Bill is passed they will get rid of the lunatics as soon as possible.

2049. It has been suggested that the state of things in Belfast is only the same as in other workhouses. Do you know that there is no other workhouse in Ireland where there are anything the same number?—No, it is over 400.

2050. So that it is quite an exceptional case?—Yes.

2051. Many of the Belfast lunatics come from the country?—Yes.

2052. In fact, a large part of the population of Belfast consists of people who, by eviction and otherwise, have been driven into the city?—Yes, they have been driven into the city.

2053. I suppose you think these poor people would be better. I am not asking you as a medical witness, but as a matter of ordinary knowledge, if they were sent to the county asylum?—Yes, I should say so. A great many of them are from the country, and I expect it would be a better place for them; their native air.

2054. As to economy of contracts as a commercial man, is it part of your knowledge that you can get things cheaper if you take a large quantity of them?—Yes; but I do not think there would be so very much in that. Both establishments are sufficiently large, that the quantities purchased would be supplied at the lowest prices probably.

2055. As to the justices of the peace, I believe that recently a number of magistrates have been appointed?—I think there have been four or five recent appointments.

2056. Have there been any Catholics appointed?—No.

2057. There are a large number, are there not, of properly qualified Catholics in Belfast?—There are a large number of Catholics in Belfast quite as respectable as the Protestants who have been appointed to these positions.

2058. Then as to the workhouse it is the fact; your brother, I believe, is a borough magistrate, and so you have means of knowledge; that no borough

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MR. DEMPSEY.

[Continued.]

MR. KNOX—continued.

borough magistrate can be an *ex officio* guardian?—No, I believe not.

2059. It is only a county magistrate. As to the power in relation to industrial schools, it has been suggested that if this Act was passed, the state of things would be the same in Belfast and in Dublin. Do you know that, as a matter of fact, in Dublin, the city magistrates take no part at petty sessions?—I believe they have what are called police magistrates there.

2060. They have, in fact, in Dublin, the system which was recommended by Mr. Justice Day's Commission in Belfast?—Yes, quite so. The Catholics were anxious for the same arrangement in Belfast as they have in Dublin.

2061. And therefore the magistrates of Belfast who are also members of the town council, would have double power, which city magistrates in Dublin who are members of the council there would not have?—That is true.

2062. As to the suffrage; it has been spoken of as if it was a great boon; do you know as a matter of fact that the suffrage in Belfast, though wider than in other towns in Ireland, is not as wide as in English towns, owing to there being no provision for what is called the compound householders?—No, I do not know much about the English suffrage.

2063. At any rate, do you know this: that there are not nearly so many municipal voters as Parliamentary voters in Belfast?—No.

2064. Not nearly so many?—Not nearly so many.

2065. As to the wards; the borough boundaries I believe have been enlarged since 1853?—Yes, there was an extension; I believe there was another proposed extension.

2066. There was an extension in 1853?—Yes.

2067. That was done on the motion of the town council?—Yes.

2068. When the borough was extended it would have been very easy to have redistributed the wards?—Yes, it would have been the proper thing to have done it at that time.

2069. Are you aware there was a strong feeling expressed at the time in favour of the redistribution, and that the council opposed it?—Yes.

2070. Therefore when the question of the redistribution of the wards came up as a practical question the Corporation did their best to maintain the present exclusive system?—That is so.

2071. And therefore we may take it that the statements of liberality and a wish to have the wards redistributed made here before the Committee by the gentlemen representing the Corporation are not altogether in keeping with the previous action of the Corporation as a body?—That is so.

MR. T. W. RUSSELL.] No wish expressed?

MR. KNOX.

2072. Willingness; but on the occasion of the enlargement of the boundaries the Corporation actively opposed any such scheme?—That is so.

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MR. J. D. FITZGERALD.] May I ask what occasion? I do not quite understand it.

MR. KNOX.] When the borough boundaries were enlarged, I could not say what the date was. My recollection is that it was 1879 or 1880.

MR. J. D. FITZGERALD.

2073. I am told there has been no enlargement of the borough since 1853. I do not think this witness' memory could go back to that time?—There was a Commission sat in 1870.

MR. KNOX.

2074. I recollect that myself?—We pressed for a redistribution of the wards at that time, and it was opposed by the council.

MR. J. D. FITZGERALD.] A general Commission sat in Ireland, which went, I think, to every principal town in Ireland, and a great many towns that are not municipal in the ordinary sense, with reference to their boundaries.

MR. T. W. RUSSELL.] That was Mr. Huxham's Commission.

MR. J. D. FITZGERALD.] It reported on their boundaries and generally on municipal affairs in Ireland, but I am not aware that the recommendations have been carried out in a single place. It may be so, but I am not aware of it. It certainly has not been carried out in Dublin.

MR. SEXTON.] In the case of Belfast, that Commission unanimously recommended a redistribution of the wards.

MR. J. D. FITZGERALD.] I recollect in the case of that Commission they recommended an extension of the borough boundaries in Dublin, but it has never been carried out.

MR. SEXTON.] We never get anything done in Dublin.

MR. KNOX.

2075. That was not the fault of the Corporation of Dublin. Perhaps I was wrong about the nature of the Commission, but before this Commission the representatives of the town council opposed any redistribution?—Yes; we gave evidence before that Commission.

2076. It has been suggested that the Corporation of this great city would not take any unfair action to Roman Catholic children; as a matter of fact, do they take an unfair action towards any other class of Catholics?—That is so.

2077. And they have never hitherto had the power to take unfair action towards Catholic children?—They scrupulously exclude them from everything they can.

2078. It has been suggested that their action was due entirely to the mass of the ratepayers. Of course they are responsible, but, I believe there is a great feeling in Belfast that these matters have been controlled by a clique of wire-pullers?—Yes, that is so.

2079. Who manipulate the body of voters?—Yes.

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2080. I believe

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Mr. DEMPSEY.

[Continued]

Mr. Knox—continued.

2080. I believe as a matter of fact the candidates are chosen by the Belfast Conservative Association, which consists of a very few people, and that those candidates are usually run in?—That would not apply so much to the recent elections. There have been a number of Protestant candidates of the Radical element put into the council.

Chairman.] I do not think we can go into this.

Mr. Knox.

2081. I do not know whether it is within your knowledge, but it has been suggested that such a course was impossible as that mentioned that the Catholic children would be allowed to run about as waifs and strays, while the Protestant children were provided for. Do you know that as a matter of fact precisely that course was adopted by the Protestant governing body of the great Catholic county of Cavan?—So I have heard stated.

Mr. T. W. Russell.] Have we evidence as to that?

Mr. Knox.] Dr. O'Farrell, who was previously Inspector of Industrial Schools, will be able to give evidence upon that, I ought to have asked him the question while he was here, and I shall ask leave to recall him.

Mr. T. W. Russell.] I have heard you state it.

Mr. Knox.] It is matter within my own knowledge.

Mr. Sexton.] As a matter of fact, if you look at the return of the places which do contribute you will find in the Parliamentary Paper there are two grand juries now that pay nothing to any schools.

Mr. Knox.] Cavan did it six years in succession in spite of protest, and for a long time they concealed the fact.

Mr. T. W. Russell.

2082. Does this witness know anything about it?—I have heard it.

2083. You know nothing about it apart from hearing of it?—No. I do not belong to the County Cavan.

Mr. Arthur Elliot.] Is it that Cavan refused to send the children to reformatory schools, or refused to make agreements with the schools?

Mr. Knox.] Refused to make agreements with schools. The children were sent to

industrial schools, and there supported entirely by the private munificence of Catholics.

Mr. Sexton.] It may be useful if I state that it appears by the Report of the Inspectors of Reformatory and Industrial Schools in Ireland for the year 1890 that the grand juries of Carlow and Cavan pay nothing to industrial schools.

Mr. Knox.] That was after I called attention to it in the House of Commons.

Mr. Sexton.] This is the assessment paper, and in the column that shows the amounts paid to industrial schools every other authority appears as paying something, while the word "nil" represents the amounts of Carlow and Cavan.

Mr. Knox.] And in previous reports there was an entry of payments to Protestant schools, and none to Catholic. Since I called attention to it they have stopped giving to either.

Sir Edward Harland.

2084. Mr. Knox made the statement to you just now in a question whether you were aware that a number of new magistracies had been made in Belfast lately, and that none of them were Catholics?—Yes, so I heard.

2085. Are you aware that the name of one in the list was a Catholic, but he declines to act?—I never heard of it before.

Mr. Sexton.

2086. Just one point. When it is suggested to you that the question of the partiality or competence of the Corporation and the local justices stands on the testimony of individual witnesses like yourself, I suppose you wish to impress on the minds of the Committee that Parliament itself deprived the Corporation of the control of the police force in consequence of its action between Protestants and Catholics?—That is so.

2087. And that the Royal Commission found, and that the Government adopted the suggestion, that the local justices in consequence of similar partial action between Catholics and Protestants should cease to act on the executive?—Yes.

2088. The present Government?—Yes. Mr. Justice Day recommended that on his Commission.

2089. And the present Government adopted it by a Bill?—Yes.

The Witness withdrew.

Dr. GEORGE PLUNKETT O'FARRELL, re-called.

Mr. Knox.

2090. I BELIEVE that previously to your present appointment you had connection with industrial schools?—Yes: I acted temporarily as Inspector of industrial schools, while one of the Commissioners of Prisons in Ireland.

2091. Is it not the fact that for many years

in succession the grand jury of Cavan made a contribution to the Meath Protestant Industrial School, and refused to make any contribution to Catholic industrial schools?—I cannot say for what time they did so. They did so for some time, I am aware.

2092. The

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Dr. G. P. O'FARRELL.

[Continued.]

Mr. Knox—continued.

2092. The county of Cavan is a Catholic county mainly?—Yes, mainly a Catholic county.

2093. But the grand jury is a Protestant body?—I do not know anything about their constitution. I believe they are as a matter of fact.

2094. I believe, as a matter of fact, they conceded this for some time from the Government inspectors by making an entry of the Meath Industrial School as if it was a reformatory?—I do not remember that. I remember having some correspondence officially or unofficially with the secretary of the grand jury, and he then informed me that they contributed only to the Meath Industrial School, which is a Protestant Industrial School for boys near Dublin.

2095. I think from your knowledge of industrial schools you could say this also, whether as a matter of fact industrial schools are conducted more cheaply in the outlying parts of Ireland?—I am afraid I cannot say.

2096. They charge rather less I fancy, taking a percentage. The charge, as far as I can gather, seems to be less in outlying places than in Belfast?—I cannot say positively.

2097. Of course provisions would necessarily be cheaper?—Provisions are cheaper; I can go that far.

Mr. Hinchey.

2098. There is a Roman Catholic industrial school in Cavan?—The Meath Industrial School is a school for boys, and it is at Blackrock, outside Dublin.

2099. There was an industrial school in Cavan?—There is a boys' industrial school at Cavan.

2100. You inspected it?—Yes.

2101. Did you inspect the accounts?—Principally the children. The sanitation of the school and the children; I had nothing to say to the accounts.

2102. They were not submitted to you?—Yes, they came to the office, and were inspected by the clerical staff.

2103. It would attract attention at once if there was no contribution from the grand jury? Yes; but a question was raised in consequence of a question by Mr. Knox in the House of Commons; it was that that brought it before me.

2104. It is perhaps hardly fair to suggest it was conceded from you by entering it as a reformatory school?—I do not remember that. They no longer contribute to any schools. The grand jury of Cavan now withhold contributions from any school.

Mr. Arthur Elliot.

2105. Where do the children go to now?—They are maintained at the expense of the managers of the schools if they wish to accept them. The managers of the schools may or may not accept any child. If no school will accept them the child goes back to its parents, or to its former conditions.

Mr. Sexton.

2106. Of course in Belfast as in these counties, if the Corporation choose to exercise this power to refuse to contribute to the support of children, Catholic or others, committed from

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Mr. Sexton—continued.

Belfast to any school in Ireland so far as not provided for by the subvention from the State they would have to be provided for by the managers of the funds or charities?—Yes, they could either withhold contribution or differentiate between different schools.

2107. I am glad you have returned to the chair for a moment, because it is important that some misapprehension as to the powers of grand juries and corporations on this question should be cleared up by a witness of your authority. With reference to reformatories, they must pay when the commission is made?—Yes, they must pay, as regards reformatories, and it is a voluntary matter to contribute to industrial schools or not.

2108. They have an absolute discretion?—They have an absolute discretion.

2109. May not that operate in two or three ways? May not the Corporation of Belfast, for instance, refuse to make any contribution to industrial schools?—Yes.

2110. Might they not also say they would only contribute to a fixed number of children from Belfast?—Yes; the Dublin Corporation have some arrangement of that kind, I believe so. I do not like to say positively, I am nearly sure they have, on purpose to limit the number of children.

2111. It was a limited number, with reference to creed?—Not to creed.

2112. There is a third course: the Corporation of Belfast might make a differential rate?—Between different schools, certainly.

2113. And between Protestant on one hand, and Catholic on the other?—Yes, that follows.

2114. And, in point of fact, the grand juries do pay rates, varying from 2s. 6d. down to 1s. a week?—Yes; but I do not think they pay differential rates. One grand jury will contribute 2s. 6d., and another only 1s. 6d.

2115. Does not the same grand jury contribute rates varying from 2s. 6d. down to 1s.—Yes; some, I think, give a larger rate to schools within their own county.

2116. Here, for instance, is the grand jury of Kilkenny?—They give a larger contribution to the Kilkenny schools, and a smaller contribution to schools outside their own county.

2117. And Belfast might do the opposite?—Of course they might do the same.

2118. Is Kilkenny 2s. 6d. to one, 2s. to others, and 1s. to others. The Corporation of Belfast might do the same?—Yes.

2119. In fact their powers and discretion are plenary?—They are very large.

Mr. T. W. Russell.

2120. What happens to the children in Carlow and Cavan now?—There are very few commitments from those counties.

2221. Very few are necessary from either of these counties, and in the case of any commitments that take place the managers of any school receiving a child from either of these counties would accept simply the Government rate.

2122. The Government would contribute its share?—The capitation grant would come just the same.

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2123. Supposing

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Dr. G. P. O'FARRELL.

[Continued.]

Mr. T. W. Russell—continued.

2123. Supposing the magistrates committed them to a reformatory?—Then, I think I may say that, under the original reformatory Act, it was not compulsory, but it was an amending Act, which made it compulsory for the local people to contribute.

2124. Under the new Act?—Under an amending Act. I may say, I only held the appointment temporarily in connection with the Commissionership of Prisons, and so I am not up in the subject.

Chairman.

2125. So that in that case the charge does come on the county?—The reformatories.

Mr. T. W. Russell.

2126. Is it mandatory in the case of reformatories?—Yes.

2127. And optional in the case of industrial schools?—Yes.

2128. And in the counties of Cavan and Carlow there are exceptionally few children to be committed?—I do not know whether there are exceptionally few children to be committed; but in consequence of their refusing to contribute, there are necessarily few children committed, because they have the greatest difficulty in disposing of them.

Mr. Hincks.

2129. Do not they send them to reformatories?—Yes.

2130. Children who would otherwise go to industrial schools?—They have to be committed.

2131. As a matter of fact, they would be sent to the reformatories?—Some would.

2132. It would not mean in every case that the child was utterly neglected?—No.

Mr. Know.

2133. It has to be a criminal to be sent to a reformatory?—Yes.

2134. As a matter of fact, I believe there are children from Cavan in industrial schools scattered through Ireland?—Yes, a great many.

Mr. Sexton.

2135. The return shows 69 for whom nothing is paid?—I have no doubt that is correct.

Mr. J. D. Fitzgerald.

2136. Would the Committee allow me to clear up another point with Dr. O'Farrell, and that is with regard to the nomination of the governors of lunatic asylums. It is a fact that, the Lord Lieutenant in any case allows a single local authority to nominate a majority of the governors of lunatic asylums?—The number of governors of any lunatic asylum is entirely in the hands of the Lord Lieutenant. He can fix the number. He has accepted hitherto the nomination of the local authorities as regards half the

Mr. T. W. Russell.

governors, but in no case has he ever accepted more so far as I am aware.

2137. He never allows the local authority to appoint more than half?—He never accepts the recommendation for more than half. The absolute appointment rests with him.

Mr. Sexton.

2138. I know something about this because the circular was produced by the action of myself and others declining to contribute unless we got representation, and I know that the principle of the circular which now is the effective one is that the representation is proportionate to the contribution?—Not exactly half. The Government contribute a capitation grant of just exactly 4s. per week in respect of each lunatic in an asylum if the local contribution comes up to 4s. If the local contribution is less than 4s. the Government gives a smaller capitation grant.

2139. Where the local contribution, as in Belfast, is more than 4s., the Government gives only 4s.?—Never exceeds 4s. In no case, so far as I know, does the Lord Lieutenant ever appoint more than half the board of governors on the recommendation of the local authority.

2140. The case of Belfast is very peculiar?—No. There are many cases in Ireland where the average cost is considerably over 8s. a week. There are cases where it is 10s. a week, and in that case the Lord Lieutenant still only appoints half the governors on the recommendation of the local authority.

2141. Belfast would be the only case where a corporation was the sole local body?—Yes, that is the sole case.

Mr. Ains.

2142. What is the contribution in aid of lunatics in workhouses?—There are none in Ireland except those who go in under the special provision of the 38th & 39th Victoria as those at Ballymena. There are very few practically.

The Witness withdrew.

Mr. Sexton.] Before you leave the Chair, Sir, there is a matter that requires considerable attention, and that is the nature of the arrangements which have been so far partly concluded between the Corporation and the grand juries.

Mr. J. D. Fitzgerald.] They will be laid before the Committee.

Mr. Sexton.] The sooner the better.

Mr. J. D. Fitzgerald.] That would be the ordinary course; they would be laid before the Committee. The arrangements will have no effect unless they are laid before the Committee in the shape of clauses. I am told they are before you now.

Mr. Sexton.] The clauses are annexed to the Bill.

Thursday, 12th May 1892.

MEMBERS PRESENT:

Mr. Arthur Elliot.
Mr. Hinckes.
Mr. Knox.

Mr. Shaw-Lefevre.
Mr. T. W. Russell.
Mr. Sexton.

THE RIGHT HONOURABLE GEORGE JOHN SHAW-LEFEVRE IN THE CHAIR.

The Most Rev. PATRICK MCALISTER, sworn; and Examined.

Mr. Sexton.

Mr. Sexton—continued.

2143. YOUR Lordship is the Bishop of the Catholic See of Down and Connor, I believe?—Yes.

2144. Your diocese covers about the same area as the area affected by the Bill, that is to say, the city of Belfast, the county of Antrim, and nearly the whole of the county of Down?—There is a considerable portion of the county Down in the diocese of Newry.

2145. But the greater part of it is in your diocese, is it not?—The larger part.

2146. Have you read the petition of the Catholic ratepayers against certain proposals in the Bill?—I have.

2147. Do you adopt the recommendations, and support the prayer of that petition?—Yes; I do.

2148. Do you believe that that petition faithfully represents the opinion of the Catholic body of Belfast?—I do believe so.

2149. You, yourself, are a petitioner against the Bill, are you not?—I am.

2150. In your capacity as a governor of the Belfast Lunatic Asylum?—Yes; in my capacity as a governor.

2151. You are one of three Catholic governors in a Board of 22, are you not?—Yes.

2152. The appointment of these three Catholic governors is due to the initiative and direct action of the Lord Lieutenant, and not to any local recommendation, I believe?—He makes the appointment. I do not know whether he makes any recommendation or not; he gets none from the Catholic body.

2153. I believe, as a matter of fact, you are aware that neither the grand jury nor the corporation recommend any Catholic?—I am not aware whether they have recommended a Catholic or not. I have no knowledge of that. We never hear of any recommendation, or know anything about the appointment of governors until the official list is sent to us.

2154. So that under the present system the Catholic ratepayers have no power of recommendation or remonstrance in regard to the governors' appointments?—None whatever.

2155. As we know, six governors represent the grand jury and six the Town Council, and they are Protestants?—Yes; the recommendations,

whatever recommendations are made by the corporation and by the grand jury, are private as far as we are concerned; we know nothing of that until we get the official list of the appointments.

2156. I will ask you generally whether you are aware if there is before the House a Bill promoted by the Government to establish county councils in Ireland?—Yes, I believe there is such a Bill.

2157. Have you no doubt, whether that Bill should pass or not, that an elective county government will be presently, or soon, established in Ireland?—I expect so.

2158. Do you know that extensive financial arrangements between the city of Belfast and the counties of Antrim and Down are proposed by this Bill?—Yes.

2159. Do you consider it proper or tolerable that by a private Bill, upon the eve of the establishment of elective county government in Ireland, financial arrangements binding counties, not only in regard to particular sums of money, but for future years, should be enacted?—I think it is a very undesirable way of settling the question. It would be much better if they waited and had the matter settled when the County Council Bill becomes law; and it was proposed by some of the members of the grand jury at some of our meetings at the Asylum Board, that it would be better to wait and negotiate with this present Bill at all until that had come.

2160. The effect of the passage of this Bill now would be, would it not, that when the ratepayers of Antrim and Down were presently provided with an elective government, the elective bodies would find themselves helpless to alter the financial arrangements made by this Bill?—I suspect so.

2161. You are aware, are you not, as a matter of fact that after the Bill of the Government, neither the county council of Antrim or the county council of Down could promote any Bill in Parliament to alter these financial arrangements, except with the consent of a standing joint committee, that is, the consent of the grand jury?—Yes.

2162. So that the passage of this Bill would deprive the ratepayers of Antrim and Down in regard

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[Continued.]

Mr. Sexton—continued.

regard to financial arrangements in which they are concerned, of free action when they have obtained that Government?—Yes.

2163. If the county council of Antrim and Down, in the event of a Local Government Bill passing into law, wished to promote a Bill to alter the arrangements now proposed, they would have to obtain the consent of the High Sheriff and grand jury, would they not?

Chairman.] That is hypothetical on that particular clause passing into law.

Witness.] It is on that supposition.

Mr. Sexton.

2164. That is the proposal of a Government that has a majority in both Houses. (To the Witness.) At any rate if this Bill should pass arrangements governing future years will be made with regard to the counties of Antrim and Down, which the ratepayers of those counties might be powerless to disturb when they have an elective government?—Yes, I think so.

2165. Are you of opinion that proportionate representation of Catholics on the town council of Belfast should precede the passage of such a Bill as that now before the Committee?—I certainly am.

2166. In view of the fact that the Town Council of Belfast ask for new powers upon two points in which the special interests of Catholics are particularly concerned, do you think it important to represent to this Committee that the Catholics of Belfast have no confidence in the Town Council of that city?—They have not any confidence where Catholic interests are concerned.

2167. It has been said here that the Town Council are not to blame for being a wholly Protestant body. Your Lordship does not suggest that they are to blame; but I believe you would represent to the Committee that the members of the Town Council, as members of a political association which governs the nomination of candidates, take good care that no Catholics are brought forward?—Yes, I believe so.

2168. And also that the Town Council have always resisted any proposal to alter the existing arrangements of wards so as to allow representation of the Catholics?—Yes; they have resisted the extension of the wards.

2169. And by that resistance have they made themselves, would you say, directly responsible for the exclusion of the Catholics?—Undoubtedly I think so.

2170. Does it appear to you that Parliament, which in the present generation, because of the conduct of the corporation of Belfast as between Catholics and Protestants, deprive that corporation of the control of the police force, has by its own act bound itself to refrain from giving to that same corporation any new power which may enable them to injure the interest of Catholics?—As a matter of fact they deprived them of the power over the local police after the riots that occurred in 1854, I believe it was.

2171. No; it was by an Act of 1865, was it not?—Yes; it was the year 1864. An inquiry was held, and whoever presided, I do not remember, at that commission of inquiry must have come to the conclusion that owing to the previous action of the corporation towards the

Mr. Sexton—continued.

different sections of the community they should be deprived of the power over the local police.

2172. Not only was there a Royal Commission which reported in that sense, but also that recommendation was affirmed by the three estates of the realm by an Act of Parliament?—Yes, by an Act of Parliament.

2173. Do you think it prudent or just that a corporation which in our own day was deprived of the most ordinary power of a corporation in Great Britain (that is the control of the peace-preserving force), should now, having been convicted in that manner of partial conduct, be entrusted with fresh powers which may be used to the detriment of Catholics?—I hope they will not be trusted with any more power until we get a different representation.

2174. So far as the local justices are concerned, you would remind the Committee, would you not, that in still more recent days, only I think five or six years ago, another Royal Commission reported that the local justices of Belfast, because of their action between Catholics and Protestants, should be excluded from the bench?—Yes, that was in 1887; the Royal Commission presided over by Judge Day. The result of the recommendation of that commission was the introduction of a Bill into the House of Parliament which passed, I believe, a second reading, but did not pass into law.

2175. The present governing members of the same political party as that to which the majority of the local justices belong felt themselves constrained by the fact to bring in a Bill to exclude these justices from the bench?—They did bring in a Bill.

2176. The House of Commons affirmed the principle of that Bill by giving it a second reading, did it not?—It was read a second time I understand.

2177. Do you submit that the same Parliament which affirmed that principle of the exclusion of those justices from the local bench ought not to allow these same justices to act on the local bench in regard to special Catholic interests under circumstances in which, owing to their relation to the Town Council, they would be under a special temptation to act partially?—I think they should not get any new powers in which Catholic interests are concerned.

2178. Does your Lordship think it deplorable that there should be discord between the local authority in Belfast and the great Catholic body there?—I think it is very much to be deplored that one-fourth of the community have not confidence in them, and I suspect will never have confidence as long as the present state of affairs goes on in the city of Belfast.

2179. Do you think that the passing of this Bill without protection to the Catholic interests would not only continue but increase that discord?—It would decidedly increase it.

2180. And would your Lordship think it deplorable that Parliament should institute such action?—I do think it deplorable that such a state of things should exist at all.

2181. It would be made more intense by the passage of this Bill without some guarantee that Catholic rights would be protected, would it not?—Yes.

2182. I notice

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Most Rev. P. McALISTER.

[Continued.]

Mr. Sexton—continued.

2182. I notice that when the Town Council last promoted a Bill, which was the Linen-hall scheme, they advertised their scheme not only in the organs circulating amongst the Protestant body there, but also in a newspaper circulating amongst the Catholics?—Yes, it was advertised in the "Morning News" and was read by Catholics.

2183. The scheme, therefore, came in due time to the knowledge of Catholics, did it not?—Yes.

2184. The consequence was, I believe, that at a statutory meeting of ratepayers to consider the scheme a poll was demanded, and a poll of the ratepayers had to be taken?—A large number of the Catholics attended that meeting, and a *plébiscite* had to be taken in consequence.

2185. A poll was demanded?—Yes.

2186. And taken?—Yes.

2187. But in regard to the present Bill, I believe the council have only advertised in one or two newspapers which circulate entirely among the Protestants?—So I understand. It is said that it was advertised in the "News Letter."

2188. We have evidence that it was advertised in the "Whig"?—I do not know. I did not see either paper; but the Bill states it was advertised in the "News Letter." It was not advertised in a paper that the Catholics read, as far as I know.

2189. Do you think that at the time the statutory meeting was held the Catholic ratepayers of the city had really any knowledge of what was going on?—Generally speaking, I think they had not.

2190. So that the Bill was smuggled through without a *plébiscite* of the ratepayers?—I think the generality of the Catholics were not aware of what was going on.

2191. In regard to the asylum scheme the pretext put forward for the separation of this district is, I believe, that the Belfast Asylum has become insufficient, and affords insufficient accommodation?—Yes, that is admitted on all hands.

2192. Do you consider that a sufficient reason for breaking up the district?—No, I do not.

2193. I call your attention to the Report of the inspectors for the year 1888, in which they say, regarding this Belfast Asylum: "The governors are desirous to meet requirements, but have not as yet arrived at any definite resolution; plans at one time being approved of and subsequently abandoned, whether by enlargements on the one hand or the other, by erecting a commodious and auxiliary institution elsewhere." Does not that contemplate the erection of a second asylum governed by the same board?—Yes, I think so. The matter was discussed at very considerable length at the time; resolutions were passed, and counter-resolutions passed again. A considerable number of the board thought that the better method of meeting the insufficient accommodation would be to have a new asylum built in the neighbourhood of Belfast, and to build it in such a way to accommodate those who had not sufficient room in the present house, so that as they required it, it could be enlarged from time to time. That was

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Mr. Sexton—continued.

one idea. Another idea was, I believe, to abandon the present house and build a new one altogether in the neighbourhood of Belfast.

2194. But the mere fact that the Belfast Asylum itself has become insufficient to serve the district is not a sufficient reason why the district should be broken up and two separate governments established in it; is it?—I think it is not a sufficient reason.

2195. Do you consider the real reason to be that the corporation desire to obtain control of the asylum?—I think the corporation are ambitious to get all the power and control they can possibly get over the city of Belfast, and probably that is the reason.

2196. Do you consider the fact that the two asylums are 16 miles apart, any reasonable cause for breaking up the district and establishing two boards?—No, I do not.

2197. Antrim would be as convenient for some governors as Belfast is for others, would it not?—Much more convenient, perhaps, or at all events quite as convenient for many of them. Many of the present governors have to come away from distant parts of the county; those belonging to the grand jury, for instance.

2198. And Belfast is inconvenient for many governors now as Antrim would be for many governors in the future?—I think so.

2199. There is no balance of convenience against Antrim any more than Belfast in regard to the whole body of governors; is there?—None that I see.

2200. Would you suggest that it is not reasonable to ask this Committee to regard a distance of 16 miles as a reason for disrupting the district, seeing that poor-law guardians of every social class travel longer distances every week all over Ireland, to the meetings of their boards?—I do not think there is any reason at all in the fact of the distance being 16 miles.

2201. This scheme is pressed forward against the judgment of one of the contributory bodies, the grand jury of Antrim, and against the opinion of the majority of those who have administered lunacy law in the district, the governors of Belfast Asylum—

Mr. T. W. Russell.] Can that be fairly stated; can it be put to the witness that a scheme is pressed forward in that way; that contributory body having withdrawn its opposition?

Mr. Sexton.] We have it in evidence from the Mayor of Belfast that the object of the grand jury of Belfast was to obtain better financial terms, which probably or possibly they had obtained. However, their Petition is on the record here, and it contains declarations signed by various officials as to matters of fact and I am entitled to rely on those declarations even though they have not proceeded with their Petition.

Chairman.] But your question, I think, went a little bit further. It rather assumed, or you put it to the witness, that they were still opposing. They did oppose and they have withdrawn. Very often an opposition of this kind is put forward in order to get better terms.

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2202. I will

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Most Rev. P. McALISTER.

[Continued.]

Mr. Sexton.

2202. I will put the question in this form. (To the *Witness*.) As one of the contributory bodies the grand jury expressed and withdrew the opinion that the district should not be separated?—They certainly expressed that opinion; but whether they have withdrawn it now I am not aware.

2203. You have not heard of any withdrawal of it?—I heard it reported that it was withdrawn.

2204. The Petition but not the declaration of opinion?—No, not the declaration of opinion.

Chairman.

2205. They have withdrawn their opposition?—Not only the one contributory body but the other contributory body from County Down had also petitioned, I understood.

Mr. Sexton.

2206. No; the corporation is the other contributory body?—The corporation of County Down.

2207. Your Lordship is quite right: the petition of Down also expressed an opinion that a separation was not desirable?—Yes.

2208. The scheme is pressed forward, is it not, against the majority of the board of governors, who are presumably the experts in that district in the administration of lunacy law?—Yes, it is pressed in opposition to the expression given by the grand jury at first; but whether they continue of that same opinion or not I cannot hear evidence to.

2209. We are speaking now of the governors of the asylum?—The majority of the governors, at the meetings at which the matter was discussed, passed resolutions in opposition to the division of the board. Their desire was that the two asylums should be managed by one board.

2210. Substantially the only governors who voted for separation were those members of the corporation of Belfast who wished to supplant the present board?—I think so. The principal votes on the minority sides on these occasions were members of the corporation.

2211. Do you think it obvious that if two separate systems of expenditure, independent of each other, are established with regard to these two asylums, the result will be necessarily a certain waste of the rates and public resources?—To begin with, there will be undoubtedly, in my opinion, a great loss to the ratepayers.

2212. The effect of this proposal, so far as concerns the government of the asylum of Belfast would be, would it not, that the Corporation of Belfast, instead of having six governors out of 22, would have 12, or at least 11, out of the 22?—I think that would be the case.

2213. I think we may take it from the circular here that the corporation would appoint one half, and the Lord Lieutenant the other. Do you consider that in a board of 22 the 11 governors appointed by the corporation (citizens of Belfast in the habit of acting together on the city council from day to day) would constitute a working majority of the board of the asylum, as against the 11 governors who might be scattered here and there, and who would come in on the appointment of the Lord Lieutenant, and would

Mr. Sexton—continued.

have no other tie to bind them together except their governmentship of the asylum?—Yes, I should think very probably they would constitute a working majority of the board.

2214. Under the local circumstances of Belfast (which in matters of feeling and interest pertaining to the creed which you represent are peculiar and even unparalleled), I believe you would strongly urge on the Committee that it is utterly inexpedient that the Corporation of Belfast should obtain control of the asylum because of the Catholic interests concerned there?—Looking to the previous action of the Corporation of Belfast towards Catholics for many long years, and which is still continuing as far as I can judge, I would have the strongest objection that they should get any additional power over an institution where Catholic interests are concerned.

2215. They exclude Catholics from employment at the town hall. Do you see any reason for thinking they would admit them at the asylum?—None whatever.

2216. I think your Lordship considers it is indispensable that there should be a fair proportion of Catholic attendants at the asylum?—It is a matter of the gravest importance for the Catholic inmates of the asylum that there should be.

2217. And as the pastor of the Catholic body in Belfast, do you represent that as indispensable?—I do, as far as we can get it. I think it is a conscientious duty on me to represent that to the Committee here.

2218. There is at present a fair proportion of Catholic attendants at the asylum, is there not?—There is a better proportion there than we have on any other board inside the city. There are as I understand, 25 female paid attendants; of these seven, I understand, are Catholics. There are 20 male attendants, and of those seven also are Catholics; so that we have got 14 out of the total number. We have nothing of the sort on any other board in the city. In the workhouse, where there are 41 nurses, we have a single nurse, and an absolute refusal of the board of guardians to appoint any more; and this is a most important matter for those helpless creatures at the time of their death, as well as when they are living.

Mr. Elliot.

2219. Did you say there was an absolute refusal on the part of the Board of Guardians to appoint nurses who were Catholics?—Yes.

2220. Do you say that they have announced that distinctly?—You will get it in yesterday's paper, and also the week previously.

Mr. Sexton.

2221. I will get out the facts; in the workhouse there is a very large proportion of paupers and Catholics who are insane as well, is there not?—There is a very large number of the ordinary inmates insane; I do not know how many are Catholics, but I suspect there is a large number of them Catholics.

2222. The nurses there number 42, do they not?—Forty-one I think.

2223. Forty.

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[Continued.]

Mr. Sexton—continued.

2223. Forty-two, of whom one is a Catholic; 41 Protestants and one Catholic?—Perhaps that is correct.

2224. That one Catholic nurse is confined, I think, to one small department of the workhouse?—Of course she must be in one particular department.

2225. Is it a fact that, in consequence of the absence of Catholic nurses throughout that great institution, it frequently happens that Catholic inmates die without receiving the last rites of their church, because there is no Catholic attendant there to warn the clergy of the approach of death?—I have been informed at different times by the chaplain that that is the fact. It arises from the fact that the other attendants do not really understand what the Catholic church requires in cases of persons who are in danger of death from sickness, and they do not feel the necessity probably of calling in the clergyman in the same way as a Catholic nurse or a Catholic attendant would. What I have been informed by the chaplain is, that frequently these cases occur in this way: He goes to the workhouse, and he finds a person has died last night or yesterday; he makes inquiry, and the nurse says: "The person got suddenly sick; I had no time to send for you." He cannot correct that statement, because, if he goes before the board, there is the attendant's story, which he cannot disprove, and he has the consciousness that numbers are being deprived of those last rites which we consider necessary. I think it would tell even worse in an asylum, because they are more helpless. Another matter in regard to that point in an asylum is, that the chaplain there informs me that many of these poor lunatics are helpless, and are in a kind of way senseless: all that is going on until they are just brought into the presence of the priest. The attendants have to go and lead them into the chapel, and, if they come where the priest is officiating, they join in with the rest; but unless they were taken in that way they would not come at all.

2226. The death of one of these poor people without the last sacrament is a matter of deepest concern to the pastors of Roman Catholic churches, and causes the greatest indignation amongst Catholics, does it not?—It is so; there is nothing we should feel so acutely; because, by the doctrine of the Catholic church (and I wish to say that to the Committee) we are bound in conscience according to our own doctrine to administer sacrament to the dying whether they ask it or not. Lunatics may not have the sense to ask it, but we are still bound to administer those rites to them.

Chairman.

2227. Even to lunatics?—To lunatics, no matter how insane they may be. Our doctrine is this: that in the case of one of those persons dying in a state of grievous or mortal sin at enmity with God, we believe these sacraments will remove that sin of the soul; but if they die without these rites they are lost. Hence I press on this Committee that this is one of the most serious circumstances in connection with the whole of the matter as far as I am concerned as a bishop and clergyman.

Chairman—continued.

2228. Is there a paid Catholic clergyman at the asylum?—Yes, there is a paid chaplain.

2229. Is he in daily attendance there?—I cannot say that he is in daily attendance; he visits frequently, and of course he gives service on the appointed days and visits the house, and will of course always visit the sick if he is called in and attend them.

Mr. T. W. Russell.

2230. Does he live far from the workhouse?—No, a short distance; just outside the wall of the workhouse in fact, but he has to go to the gate to get in.

Mr. Sexton.

2231. But have inmates died without such sacraments because of the want of Catholic attendance there to warn the chaplain?—I cannot say that about the asylum.

2232. I am speaking about the workhouse?—I believe so. I have been informed so; of course I have no personal knowledge of that, but I have been so informed by the chaplain.

2233. The chaplain has officially informed you as his superior?—He has.

2234. In the case of Catholics, the administration of the sacrament is a matter of salvation or perdition?—It is.

2235. The efficacy of the presence of Catholic attendants to secure the administration of the sacrament is proved, I think you would say, by the fact that inmates of the asylum have not died without such rites, because there are Catholic attendants there to warn the chaplain?—I cannot speak about that, because I have no information about that; but of course it is a similar case; if there was no one when death was approaching to give timely warning to the clergyman he would not know, and would not go.

2236. Has it been represented to you that such cases have occurred at the asylum as well as at the workhouse?—No, it has not.

2237. The sacrament of penance is administered to certain lunatics; I believe to those who are deprived of the use of their senses, and are therefore unable to make confession; and the sacrament of extreme unction is administered to all lunatics who are in danger of death?—Yes.

2238. Do you consider it necessary for the due order and decency of administration of these sacraments at the bed-side that there should be a Catholic attendant?—It would be most desirable as far as practicable to get it.

2239. And also to lead the more helpless of the patients into the place of worship on Sundays and holy days?—I think that Catholics would have more sympathy, believing in our practice and doctrine, and that they would more readily perform this charitable duty towards these helpless creatures.

2240. We have it that there is a considerable body of Catholic attendants at the asylum, and substantially no Catholics employed in any important post in the other public institutions at Belfast?—Yes; we have at least 14 in the asylum, as I understand.

2241. Am I right in attributing that difference

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Mr. Sexton—continued.

as between the asylum and the other institutions, first, to the fact that there are Catholic governors there by the intervention of the Lord Lieutenant without local action; and secondly, to the fact that the corporation have not the control of it?—I cannot say exactly that it is in consequence of the appointment by the Lord Lieutenant, but that has been the state of things for a length of time past. I believe if these appointments were not made, and if the asylum was under the control of the corporation the same as the other bodies are, that we would not have many Catholic paid attendants in the asylum.

2242. If the corporation obtain control, your firm and unprejudiced belief is that the Catholic attendants, which you have shown to the Committee are so essential, might diminish and disappear, is it not?—I believe they would.

2243. Do you consider that it would be important that the two asylums should be linked together under one government, so that the governing body might with facility transfer patients of a certain class from one asylum to the other for the sake of health and more rapid recovery?—I think that in that respect the two asylums worked under one board would be beneficial to the patients.

2244. Of course you know that the proposal in the Bill is only to transfer patients from one asylum to the other when the accommodation happens to be insufficient in either of them?—Yes, I am aware of that.

2245. That does not touch the question of the health or the more rapid recovery of patients?—No, it does not touch that question.

2246. And even for that limited purpose do you consider that a scheme of two boards with the need of referring to the Board of Control upon questions of accommodation or of payment, would be a scheme that would work easily or well?—I think the other scheme of managing the two asylums by one board would work more easily; there would be less friction and there would be greater facility of transferring inmates from one to the other if thought desirable to do so.

2247. Does it occur to you if there is an asylum built at Holywell for 400 patients, with 315 to go into it immediately, and an annual increase of eight, with 53 lunatics in the county workhouse, who would be accommodated at Holywell, that the accommodation at Holywell would be exhausted by the claims upon it?—I should think it would be; if they built it only to accommodate 400, they would not have much room for any extras coming from the other districts hy-and-bye.

2248. If there is a separate board, do you think they would say to the city, "We are not going to build extensions to accommodate the city; build an asylum for yourselves"?—That has been already said in the Board-room by the members who are opposed to the separation of the board. They said, "We have no notion of building an asylum to accommodate you, and it is unfair to ask us to do so."

2249. But if the two asylums were under one board, and you had a hundred acres of land at Holywell, you could extend that asylum as much as might be necessary for the city and county

Mr. Sexton—continued.

for many years to come, could you not?—I think so.

2250. It is the fact, I believe, that there are now 671 patients which are chargeable to the district?—So I understand.

2251. The effect of the scheme if adopted would be that Belfast would immediately begin to pay for a good many more patients than it pays for at present, would it not? Instead of paying for one half, 335, it would begin to pay for 356?—Yes, I expect so, and perhaps more.

2252. Do you consider it unjust to Belfast, considering how many patients drift into a city from the country, that Belfast should be charged with every patient committed within its borders, no matter what may be his place of domicile?—I think it is an unwise arrangement for the corporation to saddle Belfast with that.

2253. There are 356 Belfast patients who would have to be accommodated in the Belfast Asylum now?—Yes.

2254. There are 450 insane persons at the workhouse?—There are 356, as I understand, already in the Belfast Asylum.

2255. Chargeable to Belfast city?—Yes.

2256. There are 450 insane persons in the workhouse?—Yes, so I think it has been reported.

2257. And the Inspectors of Lunacy state in their report, and Dr. O'Farrell has stated in evidence, that there are 200 of those who for the sake of their health and for the sake of humanity ought to be transferred to the asylum?—So he has recommended. He has said it would be better to recommend 200 out of the 450 to some asylum.

2258. I believe your Lordship holds the view that the whole 450 ought to be under asylum treatment?—I do undoubtedly, and I hold that view from the report of Dr. O'Farrell. He states that there are not means in the workhouse to treat these helpless creatures in a humane way, and therefore we think they should be put under the charge of the State and accommodated somewhere else.

2259. But even supposing only the 200 are transferred from the workhouse to the asylum, it follows, does it not, that the accommodation of the asylum, which is limited altogether, even with the new extensions, to 520, would be immediately exhausted?—It would be exhausted, and there would be some patients left without accommodation. According to a calculation made, I think there would be 36. With the present extension that is being carried on at the asylum there would be 36; if the 200 were sent there that would leave no accommodation in it. There must be sent somewhere else. Then there is the annual increase.

2260. Will you kindly state what that is?—Dr. Merrick, I think, states that the annual increase in the city is about 12, and if we take five years to build the new asylum, that would amount to 60, and with the 36 added to that you would have nearly 100 patients for whom you would have no accommodation in the Belfast Asylum. You would have to send those outside the district and get them some accommodation, or a new asylum would have to be built for

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for them. That, I say, means taxing the rate-payers of Belfast.

2261. Looking at the claims of Holywell, you see no prospect that Holywell would have any room for city patients?—None, if they built a house only to accommodate 400.

2262. What would the city have to do; would not they have either to erect a new asylum, which would mean three asylums for the city and county, or to sell the existing asylum and build a great asylum in the city of Belfast?—Dr. O'Farrell has stated that the present asylum is not capable of being much more extended, owing to the limited space of land attached to it, and therefore they would either have to build another one or to do away with the present one, and build a large one in its place; and that may involve a very serious expense to the city of Belfast.

2263. It is suggested here on the part of the corporation that they would probably sell the existing asylum and build another; if they sell the existing asylum would they not have to sell the site really as building land?—I could not say anything definite on that, but the probability is it would be turned into building land.

2264. In that event would not the 18,000*l.* now about to be spent on extensions be money absolutely thrown away?—I believe that the scheme would involve a serious loss to the rate-payers of Belfast in whatever shape you put it.

2265. They would be spending 18,000*l.* in putting up buildings to be knocked down again? Yes; that is the expenditure for the present extension.

2266. Then the new asylum would have to be very close to Belfast, would it not, and you would have to have an expensive tract of land bought at a very high price, because we have heard the price of land has deterred the governors from buying land near Belfast. Would the whole cost of that fall on the city in the event of this separation being carried out?—I think so; no one else would be interested in it except the city.

2267. Do you not think it much more expedient that the wants of the united district should now be provided for by one asylum certain to be adequate and put up by the joint contributions of the city and county?—Yes, that is my opinion, and I am confirmed in that opinion by the report Dr. O'Farrell on sanitary grounds too.

2268. You put emphasis on the hardship of the city, do you? The population of the county and city being about equal, and the city being liable to the committal of patients who come from the county, you emphasize the hardship of the city being responsible for every insane patient committed there, no matter where he comes from?—It would be a hardship, I believe.

2270. Of course you ask the Committee not to accept the scheme of separation?—I do.

2270. Do you think that the present system, which has worked well and given satisfaction, and is likely to be more economical, ought to be continued, at any rate until a trial of the combined management has been made, and until by the establishment of county councils the rate-payers have the means of directing their own interests?—Yes, I think it is an unwise scheme to throw away money where accommodation can

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be procured by keeping the two asylums, the one that is to be built at Holywell and the existing one at Belfast, at a much less price for the insane people belonging to the county and the city.

2271. However, if the Committee decline to act upon the evidence you offer, would you urge in that case that the board should be so constituted for the sake of these important interests which you have defined, that the corporation should nominate three-fourths of the local governors (being the proportion of the persons whom they represent), that the Catholic rate-payers should be allowed to nominate one fourth, and that the Lord Lieutenant should be directed in appointing his governors to have regard to the distribution of religious creeds in the city?—I think that would be a reasonable proposal.

2272. It would give the Catholics five or six governors out of 22; it would give the corporation eight or nine, and the remainder would be appointed directly by the Lord Lieutenant?—Yes.

2273. Would you be content with that and not less than that, and would that avoid those dangers which an uncontrolled power in the hands of the corporation at the asylum would involve?—I would not be satisfied with anything except a fair representation on the board; and that would be more likely to procure it.

2274. And further prevent the uncontrolled power being in the hands of the corporation?—Yes.

2275. I believe your Lordship is intimately acquainted with the case of the industrial schools. How many Catholic schools are there in Belfast?—There are two Catholic schools.

2276. I believe each school has to be certified by the Chief Secretary of the Lord Lieutenant?—Yes, each school is certified.

2277. What is the number of children for which the Belfast schools are certified?—Two hundred and sixty.

2278. And there are four Protestant schools, are there not?—Four.

2279. And the total number of children they accommodate is 510, I believe?—Yes.

2280. Do you suggest that if the power over these schools is transferred from the grand juries of Antrim and Down without defining their powers to the satisfaction of all concerned very deleterious results to Catholic interest may follow?—It certainly possibly may follow.

2281. It was suggested that the council would be bound or limited in the application of their powers; do you say, from your knowledge of the system, that the council would have absolute power to do what they pleased?—I think they have discretionary power.

2282. First they might refuse, if the Bill is passed, as the grand juries of Carlow and Clare have refused, and do now refuse, to contribute any sum of money to any industrial school whatever?—They might, of course; they have a discretionary power, and if they wish to exercise it they may refuse.

2283. Then in the second place they might, whilst not going that length, alter the rate, and instead of paying 2*s.* 8*d.* per week as the grand juries of Antrim and Down have, say, "We will pay you a lower sum"?—Yes.

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2284. Then they may make a differential rate and contribute 2s. 6d. to some Protestant schools and 2s. or 1s. 6d. say to Catholic schools?—That is another power also.

2285. Or, in the fourth place, they may say, "We think there are two many children from Belfast; we shall only pay in future for a certain limited number"?—Yes, they could do that also.

2286. Or might not they refuse to do what the grand juries of Antrim and Down have done, that is, become guarantors to the Board of Works for loans for the necessary building and extension of schools, and in that way might they not cripple the schools?—Of course they could refuse that likewise.

2287. Do you think it very likely they would?—I should be very much afraid of it.

2288. You would rather not be put in a position of having to depend upon it?—I would not, because they have shown a great desire of withholding money from us. The Corporation of Belfast have shown themselves very conservative in keeping the money out of our hands in all respects.

2289. I suppose you mean not only in regard to salaries, but also in regard to the general expenditure of the rates?—Yes.

2290. You have shown the Committee five ways, in any one of which the Corporation of Belfast, with perfect ease, could at any time cripple, if not destroy, these Catholic industrial schools?—Undoubtedly they would have the power to do that.

2291. Is it not a fact that the local Catholic industrial schools depend entirely upon the local fees?—They do almost entirely depend on them.

2292. If the Belfast children were sent anywhere else than to the Belfast schools, the Belfast schools would find it hard to exist, would they not?—They would suffer, undoubtedly.

2293. The local bench is composed, in a large proportion, of present or past members of the town council, is it not?—I think so.

2294. There is a close sympathy between the two bodies, is there not?—I think there is.

2295. Do you think the local bench would probably be disposed of their own motion to carry out any policy which the town council had initiated with regard to industrial schools?—I think if any policy were adopted at the town council the local magistrates would fall in with that policy.

2296. So that if the town council, for instance, determined only to pay for a limited number of children, do you apprehend that the local justices might raise difficulties in the way of the commitment of children, and might be more exacting in regard to evidence than they are at present?—They might do so, certainly.

2297. When questions are asked as to concrete cases of injustice on the part of the local justices, would you suggest that the giving of the powers now sought for to the town council in regard to the industrial schools would place the local justices under a new temptation to partial conduct in regard to Catholics?—It might do so, I think, owing to the sympathy that exists between them.

2298. The town council would have a new

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motive, and that might communicate fresh inspiration to the local bench, you think?—Yes.

2299. Also if the town council showed a disposition unfavourable to these Belfast schools, and made arrangements with managers of rural schools in other parts of Ireland at a cheaper rate to take children, might not the justices commit Belfast children to schools in other parts of Ireland?—I think they have the discretion to send them to various schools.

2300. And by that simple mode might not the Belfast schools be simply weakened out of existence?—They might be injured and weakened if that system were followed.

2301. Do you suggest them upon the whole, that it would be convenient and just that these commitments should be in the hands of a police magistrate as they are in Dublin?—I should prefer that.

2302. The Belfast Corporation say: "We only ask for what they have in Dublin," but in Dublin the commitments are made, are they not, by the police magistrates?—Yes.

2303. And the local justices are entirely excluded from judicial action on the bench?—So I understand.

2304. Do you suggest there is no parallel between Belfast and Dublin, unless the securities for which we ask are granted, namely, commitments by a police magistrate and exclusion of the justices?—I do not think there is any parallel at all.

2305. In Dublin, I believe, one-third of the children from all Ireland are committed to schools, and the system works well there and to the satisfaction of all concerned?—I never heard any complaints about it.

2306. May I ask whether you approve of the proposal that the Lord Lieutenant should obtain power in this Bill to appoint a commission to distribute the wards, with a view to a fairer representation of Catholics?—I think it would be a very desirable thing for the state of society in Belfast that a change of that kind should be made by the Lord Lieutenant.

2307. The strength and location of the Catholics in the city you think entitles them to representation on the council?—I should think so.

2308. And when the wards were fixed, 40 years ago, the main body of Catholics living together in one district were broken up deliberately into two or three wards, where they were swamped by the other population; and by that device have been entirely excluded then and since from the council?—Yes; some arrangement of that kind was made at the time.

2309. And have you any doubt that the contempt with which the proposal of the Royal Commission has been treated, and the resistance of the corporation to every effort to give this excluded class any voice in their councils, is due to the fact that the arrangement of the wards made 40 years ago has been found successful in shutting out Catholics?—I believe it is so.

2310. Do you strongly urge the Committee, in order to save the industrial schools and Catholic interests from the risks involved in this Bill, to let a good system alone; but if the Committee nevertheless think proper to transfer this power, would

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would you ask them to place the committee, as in Dublin, in the hands of a police magistrate, and to bind the corporation to make no differential rate or rule as between Catholic and Protestant children or Catholic and Protestant schools?—I think it would be very desirable to get that done.

2311. I understand your Lordship apprehends that it will be very difficult with any clause inserted in the Bill to induce an unwilling body to act as a willing body would act; and that you fear if the power is transferred no protection by clauses can be effective?—I do not believe that clauses would effect what we would require, because I suppose a coach-and-four can be run through most of these classes.

Cross-examined by Mr. J. D. Fitzgerald.

2313. I understood your Lordship to suggest that sufficient notice of this Bill had not been given to the Catholic ratepayers?—No sufficient notice had been given, in this way, that it was advertised only in one paper, which does not circulate among the Catholic body, and which they seldom read. I did not see it myself, for instance.

2313. I do not know whether you adopted the words that were put to you by the honourable Member, that the Bill had been smuggled through without the knowledge of the Catholic ratepayers?—I did not make use of the word "smuggled."

2314. You did not go so far as that?—What I said was, that I believed the generality of the Catholic ratepayers did not know what was going on.

2315. What are the newspapers which circulate amongst the Catholics in Belfast?—The newspapers that circulate among them are at present the "Irish News" and the "Morning News."

2316. I suppose both the "Irish News" and the "Morning News" report the discussions in the corporation?—Sometimes probably they do; but I think not always.

2317. And probably when the corporation held their statutory meeting to see whether they would sanction this Bill or not, notice of that would have appeared in the ordinary reports of these two papers?—Do you mean the holding of the meeting?

2318. No, I mean the discussion in the corporation, as to whether they would sanction the promotion of this Bill or not, which they are obliged to do under one of the Acts relating to the promotion of private Bills; and that would have appeared in the ordinary course in both those papers?—Probably the Press was not present at all when it was discussed in the corporation.

2319. You think not?—I am not certain, but I think it very likely; at all events we did not see it in our papers.

2320. Would you oblige me by looking at these two papers and the advertisement marked there, and tell me whether there are the two papers you refer to as circulating amongst Catholics, and whether the meeting of the ratepayers is not advertised in both those papers (*According some to the Minutes*). These are the

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"Irish News" of January 13th, and the "Morning News" of January 9th, and in both those papers the advertisement appears, giving notice that the meeting will be held. In the first place after setting forth the nature of the Bill the advertisement runs: "I, Daniel Dixon, Mayor of the said city, do hereby, pursuant to the Borough Funds (Ireland) Act, 1888, summon a meeting of the persons qualified to vote at an election of members of the Council to be held in the Council Chamber in the Town Hall in the said city on Monday the 8th day of February 1892, at 12 o'clock, for the purpose of considering and passing a resolution approving of the expenses of promoting such Bill being paid out of the General Purposes Fund." I am sure your Lordship will admit that in this matter at least equal justice has been done by the corporation to the Protestant and Catholic ratepayers?—I was not aware that these advertisements were in the paper.

2321. I think I may take it that at that time, January 1892, the Catholic ratepayers had not been instructed as to the vital interests they now suppose they have in this Bill?—I dare say not.

2322. There are one or two other matters which you have referred to, which I should like to ask you a question upon, though they are matters of ancient history. You have referred to an Act which was passed in the year 1845 under which the Royal Irish Constabulary were introduced as a police force into Belfast?—Yes.

2323. The effect of that Act was, was it not, to place Belfast in precisely the same position as every other town in Ireland, namely, to put the police force under Government control?—Certainly.

2324. Prior to that Act Belfast was in an exceptional position, was it not. There was a small police force there employed by the corporation?—That is so; but I understand there are some other towns in Ireland that have a local police force still.

2325. I was not aware of any?—Dublin.

2326. Dublin has a force under Government control?—Limerick, I think.

2327. I am not aware of Limerick, but the Dublin police are under the control of the Government and not the corporation; I rather think it is the same with Limerick, but I will not answer for it; in 1884 there had been very serious riots in Belfast, had there not?—There were.

2328. And the local police force was found totally inadequate to cope with them?—Not only that, but they were found to be partial in their action towards the different sections of the community; and that I say is the reason why they were abolished.

2329. That I understand you to suggest; but, in fact, the local police force was found unable to cope with the rioters?—I will not swear that they were unable, but I will say that they did not do it.

2330. They were unable or unwilling; and in consequence of that, the Commissioners who investigated the riots recommended that the Royal Irish Constabulary in largely increased numbers should be introduced into Belfast?—Yes; they were

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were responsible to the Government and not to the corporation.

2331. Going to the question of the lunatic asylum for a moment, I believe you are one of the governors?—I am.

2332. And the other two Catholic governors are Mr. Arthur Hamill and Dr. Cumming?—Yes.

2333. Mr. Arthur Hamill is a gentleman whose name has been mentioned already, and I gather he is a local justice, both in the borough and in the county?—So I understand; he is a county magistrate as well as a borough justice.

2334. Owing, no doubt, to the many matters you have to attend to, you do not, I think, attend the meetings of the governors as regularly as the other two Catholic governors, do you?—I have not done so.

2335. You rather adopted the suggestion of the honourable Member who examined you, that this Bill had been promoted by the corporation for the purpose of getting the control of the lunatic asylum; is it not the fact that the suggestion for this Bill originated with the governors of the asylum themselves?—But who are the governors of the asylum? They are composed largely of the members of the corporation. It was found out that the asylum was too limited to accommodate the inmates, and it was necessary to make a change to get new accommodation; and the matter was discussed in a variety of ways for a length of time, and various suggestions were made; and finally they adopted the one to purchase another site.

2336. I understand that; but what I was suggesting is this: that what really originated this matter was the resolution passed by the governors on the 10th March 1890, in which they suggested that the city of Belfast should acquire the present site and buildings, paying the county Antrim their fair proportion of the value towards the same?—No; it was discussed months and months before that.

2337. I quite understand it was discussed before that?—That was only a conclusion after discussing it for a year.

2338. Quite so?—Then that is not the origin of it. It did not originate with that resolution at all; that was a conclusion arrived at after a long discussion.

2339. I quite understand that; but, after discussing the matter for a year or two, that was the conclusion at which the governors arrived?—Yes.

2340. Was not that resolution, as appears by the minutes, proposed by Mr. McNeill, seconded by Mr. Maher; and are not both those gentlemen county gentlemen, not connected with the city?—That is true.

2341. I also find, looking at the minutes, that both Mr. Arthur Hamill and Dr. Cumming, your two Catholic colleagues, were present at that meeting, and apparently concurred in the resolution?—I cannot speak for what part they took at that meeting, but this I know: that both of them voted against the separation of the board. They were all desirous of having a new asylum, but then the question turned up how that asylum

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would be managed and governed by one or two boards; and both Mr. Hamill and Dr. Cumming voted against the separation of the board, and Dr. Cumming advocated the continuation of the united or one board to manage the two asylums, on medical grounds.

2342. You are referring to something that took place later on?—You asked me the question, if I understand aright, whether these two Catholic governors did not concur in, and vote for, that resolution. I say I cannot say that, for I was not present; but what I know is that since that they have voted against it, and I am aware also that Dr. Cumming has consistently opposed the separation of the board.

2343. I ask you now with regard to the meeting which was held on the 12th October 1891, when the governors by resolution suggested the promotion of this very Bill; was not Mr. Arthur Hamill present as a Catholic governor assenting to the resolution?—I am not aware whether he was or not.

2344. At any rate, I presume, that the resolutions that are about to be proposed are sent round to all the governors. You get notice before the meeting of the resolutions that are about to be proposed there, do you not?—Yes, sometimes we do, I think.

2345. May I take it that you were aware that in October 1891 the matter was coming before the governors for the promotion of a Bill to separate Belfast from the county Antrim and to constitute a separate lunatic asylum. You knew that in October 1891, as a governor, did you not?—I daresay I got notice of it, I do not remember.

2346. I think I may fairly ask you this: If you consider this matter was vital to Catholic interest, how is it you did not attend to oppose the proposition in October 1891?—You do not infer that I had no interest in the matter, I hope.

2347. No, I do not infer that?—There may be many other causes that would keep me away from that meeting. Perhaps it was an impossibility for me to get there at the time.

2348. It is possible, even if you are kept away, to write a letter and state your grounds. Did you ever preparatory to this meeting of October 1891 communicate in any way to the Board of Governors that you considered the separation of Belfast from the county Antrim would prejudicially effect the interest of Catholics?—No, I did not.

2349. And I believe that resolution of the 12th October 1891 was also proposed by Mr. McNeill and seconded by the Right honourable John Young, two county representatives?—I understood that the kind of Bill that was being asked for was not only for power over the asylum but other other matters.

2350. I am keeping to the asylum for the moment?—But the question you put to me leaves an impression that is not quite right.

2351. The question I am putting to you is entirely to do with the lunatic asylum?—It has to do with the Bill. You asked me if I knew that a Bill was being proposed, and if I had known the nature of the Bill I might have acted differently.

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2352. But surely you know that the proposed Bill would separate Belfast from Antrim and constitute it a separate lunatic asylum district?—Yes, but that is not the only objection I have to the Bill.

Mr. Sexton.] You did not know that the effect would be to give the Corporation the control of the new board.

Mr. J. D. Fitzgerald.

2353. That is a question of argument; I do not think his Lordship has said that. (To the Witness.) When this other resolution was passed which you have spoken of in December 1891 rescinding the original resolution, was not that resolution submitted entirely on financial grounds by the county representatives?—Oh! not at all; as far as I know, quite the contrary. It was submitted not only on financial grounds but also on the grounds of the treatment.

2354. Financial or medical grounds, I will take it?—Both grounds.

2355. But no religious consideration had entered into the discussion at that time, had it?—I think not.

2356. And you are aware now that the county representatives are satisfied, are you not, and have withdrawn their opposition?—I am not aware of that; I do not know what they have done.

2357. I am not sure that you gave the number, but the number given to me is that at the present moment there are 18 Catholic attendants in the lunatic asylum?—I did not say 18; I said 14. I got that return, but I was informed by Dr. Merriok there were 16.

2358. Those attendants you speak of are nurses receiving weekly wages I take it?—Yes, salaries.

2359. A return has been put in here about the employees of the Belfast Corporation; but it refers only to persons in higher positions, but if you take the whole of the employees of the Belfast Corporation, including those receiving weekly wages, is not a very large proportion indeed made up of Catholics?—I think not; a very small proportion in my opinion.

2360. Have you any idea of the numbers?—No, I have not; I could not get into particulars.

2361. They would be of the same class as the attendants in the lunatic asylum, would they not?—They might or they might not be.

2362. I mean the class of persons who receive weekly wages, as distinct from persons paid by salary; they would be of that class, would they not?—I do not know of what class they would be.

2363. You have mentioned the board of guardians. I have nothing to do with the board of guardians, but I would like to ask you this: is not the resolution which the board of guardians passed about their nurses, a resolution to the effect that the hospital nurses should be appointed on merit after a report from the medical men as to their qualification and not on the ground of religious faith?—Of course that is their excuse, but nobody believes a word of it.

2364. I gather you do not; but that is the

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position they have taken up, is it not?—Yes; before the public they take up that position.

2365. Let me ask you one other question. The rules and regulations by which the lunatic asylum is governed are made by the Lord Lieutenant in Council, are they not?—Yes, I think so.

2366. And not by the governors, and if there were any injustice to the Roman Catholic inmates of an asylum the Lord Lieutenant could be approached, and he could see that that was remedied, could he not?—Up to the present one could never approach the Lord Lieutenant in any way, because we know nothing about the appointment of governors; it was done privately.

2367. I am not asking you about governors; but what I want to make quite plain is this: that under the Act of Parliament the rules and regulations for the government of lunatic asylums are not made by the governors but are made by the Lord Lieutenant in Council?—They are.

2368. And I presume in doing so he acts on the report of the Commissioners, who are Government officials, inspectors of lunatic asylums?—I cannot say on what ground he acts.

2369. As to this matter of the interchange of lunatics between the two asylums which is proposed to be carried out in the Bill, was not that inserted in the Bill at the suggestion of the governors?—Not that I am aware of.

2370. I do not know whether you have had the opportunity of perusing the evidence?—I have not had the opportunity of perusing the evidence except scraps of it that were published in the papers, which could not be relied on, because one paper contradicted the other.

2371. Let me call your attention to a letter from Mr. Lane, the solicitor of the Board of Control, on the 7th December 1891, to the town clerk of Belfast: "Dear Sir,—I am in receipt of your letter of the 4th instant, enclosing copy of Bill which I shall go over at the earliest possible moment, and I write you thereon. There seemed to be a feeling amongst the governors at the meeting on the 12th of October last, that the city should have power to send and the county to receive, the patients in case the city asylum became too crowded, or vice versa, the asylum sending to the other of course to pay all charges. I don't know whether the Bill covers this, or whether the corporation would agree to it. Yours, W. M. Lowe. S. Black, Esq., Town Hall, Belfast." I think we use the first draft of the Bill those reasons for interchange of lunatics did not occur, but at the suggestion of your board it was inserted?—Probably.

2372. Coming to the industrial schools, you told us that there are two Catholic schools in Belfast at present?—There are two.

2373. And I believe I am correct in saying that as to one of those, the grand jury at Antrim have guaranteed a certain advance that was made by the Board of Works?—Yes.

2374. Of 5,000 £, and interest?—Yes, 5,000 £.

2375. Do you know that at the present time the corporation are not responsible for any portion of that guarantee, and cannot be made responsible under the existing law?—I suppose it cannot.

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2376. And

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2376. And if the grand jury of Antrim have to pay a portion of the guarantee they cannot come down on the corporation for it?—I suspect not.

2377. Do you know that under this Bill the corporation agree to take over their share of the guarantee?—I am not aware of that.

2378. You are not aware of that?—No.

2379. Take it from me that that is so?—Let me see the part which says so.

2380. You will find it in one of the amended clauses which are before the Committee?—I have not seen the amended Bill.

2381. Then do you observe that they have immediately the strongest interest in maintaining the Roman Catholic Industrial School in its present state of efficiency, because, if they do not, they will have to pay their proportion of this guarantee?—Of course, if they are undertaking to pay the guarantee; but I have not seen that.

2382. I quite understand that you have not seen it; to begin with, their self-interest would induce them to keep this school as efficient as possible, because otherwise they would have to pay the guarantee; that would be so, would it not?—Yes; very likely they might have to pay it.

2383. The provision I have alluded to is on page 8: "Provided the council shall be bound to repay the said grand jury one-half of any moneys the said grand jury may from time to time be bound to present and pay, or have already presented and paid, to the Commissioners of Public Works in Ireland, and which the said grand jury have not been or shall not be recouped in respect of any advances made or sanctioned by the said Commissioners before the passing of this Act to the said grand jury, or on the security of the county cess, for the purposes of or in connection with any reformatories or industrial schools in Ireland." It is one-half to be divided between the two parties; can you suggest any plausible reason why the Corporation of Belfast would pay less for Catholic children than for Protestant children?—Nothing except what we gather from their past history.

2384. But do you really, in the position you hold, suggest that the Corporation of Belfast would be capable of such petty malignity as paying less for a Catholic child than for a Protestant child?—I cannot say what they would do.

2385. I did not think you would go so far as to say they would; it has again been suggested to you that the borough magistrates might commit the children to schools at a distance and so injure the industrial schools of Belfast?—They have the power, I suspect, of doing that.

2386. Have they ever done so in the past, except when the school was full?—The corporation had not the control in the past.

2387. I am speaking of the borough justices now; the borough justices in the past have never sent children away from Belfast unless the Belfast schools were full; is not that so?—I dare say it is.

2388. Then why should they do it in the future if they have not done it in the past?—The reason is that if a policy of starving our schools were adopted by the corporation the magistrates would fall in with it.

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2389. If the corporation representatives on the borough bench wanted to imitate that policy they might have initiated it years ago, might they not?—I am not speaking of it being initiated on the bench, but being initiated in the council, and carried out on the bench.

2390. But they might have sent these children down to Kerry or Cork years ago if they had been so disposed, might they not?—They had not the same interest in doing that.

2391. There is one matter I think I should like to correct in your evidence; you have rather suggested that leaving this matter to the local justices was placing Belfast in an exceptional position; that the local justices have powers in Belfast which they have not in other large towns now, and you instanced the case of Dublin?—I do not think I said that.

2392. I thought that was rather the suggestion that was made to you?—I mentioned the case of Dublin, no doubt; but I did not say there were not such powers in other towns than Belfast.

2393. There is no special legislation on this subject with regard to Dublin, is there?—Which subject?

2394. The subject of industrial schools; there is no special legislation about the magistrates there?—But the police magistrate has the whole matter in his own hands.

2395. In the Dublin metropolitan police district, exactly as in the metropolitan police district here, the whole business of the bench is done by stipendiary magistrates, is it not?—Yes.

2396. That is not in the City of Dublin alone, but in the whole district which is called the Dublin metropolitan district, is it not?—I suspect so.

2397. That would not be true of Cork or Limerick, would it?—I am not aware.

2398. Do you know that the Corporations of Cork and Limerick have precisely the same powers which the Corporation of Belfast ask for here?—Yes, but they act in a very different way towards the minorities.

2399. Still you probably know this: that the majorities of the Corporations of Dublin, Cork, and Limerick are Catholics, do you not?—I dare say they are Catholic.

2400. Have you ever heard that they have unfairly exercised their power towards Protestant children?—No, never.

2401. Is it your suggestion to the Committee that the Corporation of Belfast, because it is Protestant, should be refused the same powers possessed by the other large towns of Ireland where the corporations are Catholic?—Not because it is Protestant by any means. I have no objection to their Protestantism; I object to their exclusive method of managing their affairs.

2402. Because it is exclusively Protestant?—No, not because it is Protestant but because they ostracise the Catholics.

2403. Do you mean because they have not the same number of Catholic officials?—They try, to use a common word, to boycott us in every direction.

2404. I cannot deal with a general statement of that sort; if you will give me some particular matter to deal with I will do so?—No, I cannot; but

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but the general thing is the proper thing because it affects us all over.

2405. Can you give me any specific instance of unfairness?—I do not keep instances of that kind; but the general action of the corporation is what affects us.

Mr. T. W. Russell.

2406. I think your Lordship has told us that you approve generally of the petition of the Roman Catholic inhabitants?—Yes.

2407. Were you present at the meeting?—I was not.

2408. In Clause 9 of that petition there is the following paragraph: "The constitution of a separate asylum district for the City of Belfast is your petitioners submit entirely unnecessary, and is proposed solely for the purpose of giving the corporation an undue preponderance in the management of the affairs of the asylum." Do you approve of that statement?—It is not necessary, undoubtedly.

2409. That is hardly the question I asked; do you believe that it is proposed solely for the purpose of giving the corporation this undue preponderance; that is the statement of the petition?—No, I would not like to say that is the sole motive.

2410. That is what the petition says; if your Lordship has any doubt about it you may look at it?—I have no doubt about what you read.

2411. You do not approve of that statement?—I could not say it is the sole motive.

2412. Your Lordship has told us that in 1865 Parliament, on a recommendation of a Royal Commission, took the control of the borough police from the corporation?—They did not take the control of the borough police; the borough police were abolished altogether and the constabulary put in their stead.

2413. I admit your Lordship is accurate. The police force which was formerly under the control of the Corporation of Belfast was abolished?—Yes.

2414. You lead the Committee to believe that that act involved a reflection on the then Corporation of Belfast?—So I believe.

2415. Are you aware that Belfast had held an exceptional position up to that date, and that the Royal Irish Constabulary were everywhere in charge throughout Ireland save in Belfast?—No, I was not aware of that. I think they were not in charge, for instance, in Dublin.

2416. No, the Royal Irish Constabulary were not in charge in Dublin. You are accurate; but the Metropolitan Police force is not under the control of the local authority in Dublin any more than the Royal Irish Constabulary?—Were they not then?

2417. I am asking you?—I cannot give evidence as to that.

2418. You may take it from me that they were not. At all events the Act of 1865 put the city of Belfast as regards the police precisely in the same position as every other city and corporate town in Ireland as a matter of fact?—I suppose it did, but there must have been a reason for abolishing that force, and then we have to ask ourselves: what was the reason? The conduct of that police force governed by

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the Corporation of Belfast was inquired into and they were found to be not acting satisfactorily, and hence they were done away with.

2419. You have told us that the Corporation of Belfast have resisted the extension or division of the wards?—I understand that they did so.

2420. We have had the statement made several times without any particular; can your Lordship direct us to where we can get any information as to the action that the corporation, as a corporation, has taken in the matter of resisting the extension of wards?—I think they are the only body that have given resistance.

2421. When has there been any effective proposals apart from a general statement that the wards ought to be extended, which the corporation has resisted?—I do not recollect the date.

Mr. Sexton.

2422. Is your Lordship aware that about the year 1886 I myself made a proposal to Parliament, and it was resisted by a memorandum circulated by the corporation?—I understood there was some proposal in 1887 or 1886, and that it was resisted by the corporation, and that is the reason I gave that evidence.

Mr. T. W. Russell.

2423. But the proposal to extend the wards was made in the House of Commons in connection with the second reading of this Bill, was it not. You would not take the opposition of Members to that proposal under those circumstances as being in opposition to the principle of extension of the wards, would you. For example, a Member might vote against Mr. Sexton's instruction to this Committee, on the ground that this was not a proper tribunal to re-arrange the Belfast wards; he might not resist the matter on principle. Is not that so?—I daresay; but if the corporation took an active part in opposing the division of the wards, as I understand they are just now taking an active part in opposing the division of the wards—

2424. Your Lordship can hardly understand that, because the town clerk and the two members of the corporation who have been examined here, have stated in the chair that you now occupy, that they have no objection to it?—Then why do they resist the suggestion?

2425. I am asking your Lordship when they have resisted it; I am anxious for evidence on that point. It has been asserted, and we have not had a tittle of proof regarding it. You cannot give us the information?—I cannot point to any particulars.

2426. You told us that the corporation you believed were ambitious to get all the control they could over the City of Belfast?—So I believe.

2427. Is that an unnatural ambition for a corporation?—It is not an unnatural ambition; but it is very undesirable for us, because they have not treated us fairly.

2428. That is for the Catholic minority?—Yes.

2429. I have asked every witness up to this time, and I ask your Lordship the same question: So far as voting is concerned you have all the privileges in Belfast that any English or Scotch

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Scottish constituency has; that is to say, you have household suffrage in Belfast, have you not?—Yes, I believe so.

2430. At the last election in Belfast, what may be called the Protestant party in several of the wards split into two and fought each other, did they not?—Yes, I think so.

2431. And in face of this revolt in the ranks of the Protestant party no Roman Catholic stood in any of these wards and endeavoured to get into the Corporation, on which they profess to have anxiety for representation?—There were Roman Catholics proposed; I do not know whether on the last occasion or not, but on previous occasions they have been.

2432. And they were beaten?—They were beaten.

2433. Have you any idea that any re-arrangement of the wards that a Commission would be likely to make would enable the Catholic community to get representation?—Yes, we believe that; that is the reason why we advocate it.

2434. I think you also believed that if household suffrage were conferred you would get that representation; it was only conferred by a Bill passed lately?—You stated a little while ago that we had household suffrage.

2435. You have given evidence that Belfast has the same rights as regards voting that English and Scottish constituencies have; you have also told us that you have heard of deaths in the workhouse without the sacrament of the Church being administered?—What I said was that the official chaplain had informed me of these cases.

2436. Is he one of the Catholic clergyman in the room who wish to be examined?—No.

2437. You also told us that the Board of Guardians in Belfast, which is practically a Protestant body with one exception as the evidence leads us to believe, announced only the other day that they would make no Roman Catholic appointments?—You must not put that down as my evidence; I did not say it in that way.

2438. What was your evidence, because my colleague, Mr. Elliot, and myself thought it was so; you certainly misled two of us?—Will you repeat your question?

2439. You stated that by a newspaper (I think yesterday's newspaper you said) I should see that the board of guardians had refused to make any Roman Catholic appointment. If I mistook the answer I shall be glad to be corrected?—They did not put it in that way and say they would not make any Roman Catholic appointment; but they were applied to in the case of a vacancy, there being only one Roman Catholic nurse out of 42, to make the appointment, and they declined to do it; and they repeated that on Tuesday last at their board.

2440. That is to say, in the case of a vacancy they selected a Protestant nurse where Roman Catholics were candidates?—Yes, and stated they would take the best person; but unfortunately the best person never turns out to be a Roman Catholic.

Mr. Elliot.

2441. I thought you said they passed a resolution that they would not take a Roman Catholic in those places?—No. I am sorry if you thought that.

Mr. Sexton.

2442. They simply refused in a particular case before them to appoint a Roman Catholic nurse out of 42 nurses?—Yes, they refused that.

Mr. T. W. Russell.

2443. Have you any idea of the relative numbers of Catholics and Protestants in Belfast Workhouse?—About half.

2444. Regarding the asylum, I think your Lordship heard the evidence of Dr. O'Farrell?—No, I did not; I was not present. I heard him on Monday when he was re-called, but I did not hear his other evidence.

2445. That was on the point of the grand jury of Cavan?—Yes; but I did not hear his evidence in the first instance.

2446. Of course, as a governor of the Belfast Asylum you are aware that the Board of Control favour the separation of Belfast from the County Antrim?—I hesitate to say that.

2447. Dr. O'Farrell has told the Committee so?—There is a report on the minutes of Mr. Owen, in which he distinctly recommended that the two asylums should be worked under one board so long as to give them a sufficient trial, to see how they would work; and after a considerable amount of negotiation about it, I suppose the Board of Control came to the conclusion to allow the separation.

2448. But you are aware that Mr. Owen was the architect of the Board of Works, are you not?—Yes.

2449. And not necessarily acquainted with lunacy matters at all, and that Dr. O'Farrell is the representative here of the Board of Control?—Yes.

2450. And that Dr. O'Farrell has given evidence in favour of the separation of Belfast and County Antrim?—I think there is some portion of Dr. O'Farrell's report here which would go to prove that what we are advocating would be the best method of treating the matter.

2451. We must take Dr. O'Farrell's evidence as it was given to us. He also stated that he not only approved of it, but that it was the tendency all over the England, as well as in other parts of Ireland, to adopt this theory of separation.

Mr. Sexton.] Not in other parts of Ireland.

Mr. T. W. Russell.

2452. I will confine it to England; he gave several instances of large English towns which have separated from the counties they are in?—He states particularly with regard to those lunatics kept in workhouses, that he recommends they should be taken out of the workhouses (so would I, because I think they are not fairly treated there), and be sent to asylums; and he says that even on sanitary grounds it would be a most desirable thing, and hence the county asylum at Antrim would be very useful in that respect.

2453. I think you will find the whole Committee with you on that matter; but the point is that Dr. O'Farrell gave evidence not only in favour of the separation of County Antrim and Belfast, but he also said it was the whole tendency in England, and he instanced the towns of Derby and Ipswich which had separated from their counties with great advantage?—Of course you have

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have Dr. O'Farrell's evidence, and I cannot say anything against it.

2454. He is an expert in the matter?—Experts are sometimes experimentalists as well, and I think that that theory of his as yet has not had sufficient time to be tested.

2455. At all events, we may take it that your Lordship is strongly against a theory of separation?—I think that it will entail serious taxes on the people of Belfast, and I think, also, that it will not serve the lunatic patients.

2456. But the people of Belfast, and your Lordship can only be taken here as representing a minority of the people of Belfast in the matter?—I am speaking of what I think may occur.

2457. But the corporation of Belfast may be taken to represent the majority of citizens, seeing that they have not appeared against them?—I am giving my opinion.

2458. Quite so, but it is the opinion of the representative of the minority?—Yes.

2459. It was not the corporation that first started this idea, was it?—But can you say that it was not the members of the corporation who are members of the Asylum Board?

2460. If I were going to argue the matter with you I might say something on that point, but I am not. Your Lordship has just told us that on the Asylum Board things are very fairly conducted, and that if the corporation is practically the Asylum Board you would be giving an excellent testimonial to the corporation of Belfast; and, therefore, I am not prepared to take that at all?—I do not say they are practically that.

2461. As a matter of fact this matter arose, not in the corporation, but on the Asylum Board, did it not, and was forced to the front by the want of accommodation for lunatics?—A want of accommodation was the origin of it, of course, and then they had to consider what was the best way of meeting it.

2462. After the corporation, acting upon a resolution passed by the board, had commenced to promote a Bill, then the Board of Governors began to develop other ideas, did they not?—The very same governors that proposed the corporation changed their mind and certainly took other ideas.

2463. After the corporation had gone on with their Bill?—Yes, that is true.

2464. As regards the health of the patients, Mr. Sexton directed your Lordships' attention to Clause 7, and he quite correctly stated that that clause only dealt with the matter of insufficient accommodation and authorised the interchange of patients under these circumstances. If the matter of health can be served by this interchange it would be a very simple matter for the Committee to insure that by an alteration in the clause, would it not?—Yes, but it would be still more simple in my mind to have the two asylums managed by one board, and then they would have greater facility for change and interchange.

2465. Your Lordship thinks it would be a saving?—I do, and that it would benefit the health of the inmates.

2466. Although the Belfast Asylum Board is largely Protestant, Catholic representatives being

Mr. T. W. Russell—continued.

in a great minority, and the Belfast Corporation being largely represented, your Lordship has no cause of complaint as to the management of the asylum; have you?—I do not think that we were ever sufficiently represented in the asylum, even in its present form.

2467. That I take for granted, but taking the things as they are, the fact being that the board is largely, overwhelmingly, Protestant, and that the corporation influence is very great, you cannot say that you have any cause of complaint regarding the action of the board, can you?—That form of question is very misleading. I am not objecting to the corporation, now the Board of Control, simply because they are Protestants; the reason I object to the action of the Corporation of Belfast is not because they are Protestants at all, but on account of the treatment they are giving us. I do not object to their Protestantism, but to their exclusive treatment of us. If we get fair Protestants, and they treat us well, we have no objection to elect them to any board or to the House of Parliament.

2468. The point I am urging is this: that, taking the Board as constituted, you have no cause of complaint as to the management of the asylum?—No special cause of complaint.

2469. Now, coming to the question of the industrial schools, the juries of Antrim and county Down have had the monetary arrangements as regards the industrial schools in the past, have they not?—Yes.

2470. And upon these bodies you would have the same cause of complaint that you have regarding the corporation, that you have not representation, would you not?—I would not have the same complaint, because the two bodies treat us differently. The one body treat us well, and the other body treat us badly, so I should not have the same complaint against them both.

2471. So far as I have been able to gather, the chief complaint against the Corporation of Belfast has been that they do not employ Catholics?—There are many other complaints.

2472. I am only speaking as to what has been the main objection put forward here?—The main objection is, that we have no confidence in them at all.

2473. That want of confidence, I suppose, would be largely founded on that fact?—On the way in which they have for years and years treated us.

2474. As regards the employment of Catholics the grand juries of Antrim and Down are precisely in the same position: they employ none, do they?—That is not the fact; they do employ some.

2475. The difficulty here is to get at the facts, because we had distinct evidence that the grand juries of Antrim and Down, being Protestant, employ no Catholics?—Is it not true that they have employed no Catholics. I know that is not a fact. They are county surveyors and other persons who are employed who are Catholics. They get a choice by seniority; hence we have a Catholic county surveyor in Antrim, Mr. Brett.

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Continued.

Mr. T. W. Russell—continued.

2476. We had evidence the other day that there was only one Catholic magistrate in the County of Antrim?—That is quite incorrect.

Mr. Sexton.] That was not the evidence at all.

Mr. T. W. Russell.

2477. (To the Witness.) Do you know Dr. Harland?—I do; he is a local doctor in the town of Belfast and he is the doctor of the police force, and hence he never goes on to the bench.

2478. There are a great many magistrates Protestants as well as Catholics, who never go on to the bench?—But there is one of our appointments Dr. Harland is officially connected with, the police force, hence he stays at home.

2479. Do you know Dr. Mahoney?—I do; he is an old man who has retired and never goes to any bench.

2480. Do you know Dr. Feegan?—Yes.

2481. Do you know Mr. Michael McDonald, a surgeon, again?—Of Randalstown, yes.

2482. Do you know Mr. Arthur Hamill?—I do.

2483. And Mr. Malone of Ballymena?—Yes.

2484. These are all Catholic magistrates in County Antrim, are they not?—Yes.

2485. Do you know that names have been sent forward to the Lord Lieutenant, and that the gentlemen whose names have been forwarded have refused to act?—I heard of one case only, but I know others where several applications have been made to the Lord Lieutenant of the county to appoint Catholic magistrates and he has declined to do it.

Mr. Sexton.] As a matter of fact I believe there are about nine Catholics to 166 Protestants.

Mr. T. W. Russell.

2486. Do you say to the Committee that the Lord Lieutenant has refused to appoint suitable persons?—I do not say "suitable persons;" I say Catholics; "a suitable person" and "a Catholic" are two very different phrases; and you must not put that into my evidence. Take the evidence as you get it.

Mr. Sexton.] I find that the justices of Antrim are 188 in number, of whom there were nine Catholics.

Mr. T. W. Russell.

2487. Am I to take it that Catholics have been rejected by the Lord Lieutenant of the county?—He was applied to to make appointments and declined for reasons that he assigned, that there were enough on the bench or some such thing as that, although acknowledging that the persons were qualified.

2488. Did he acknowledge that?—He did.

2489. Coming to the question of industrial schools, I think Mr. Sexton asked you whether the corporation if they got this power will not do what the grand juries of county Cavan and Carlow had done, and that was to refuse to present for anything?—Yes, they have the power to do that.

Mr. Knaz.] That is not exactly what the county of Cavan has done throughout.

Mr. T. W. Russell.

2490. There is a great difference between a large industrial city like Belfast in the matter of the industrial schools, and a county like Carlow or Cavan, is there not?—Of course there is a difference; but what do you infer from that?

2491. I mean that the necessities for an industrial school in a place like Belfast, are greater than they are in Carlow or Cavan?—That is a question.

2492. You think it is?—I think so. Taking the whole county with all the towns in it, even small towns, you get a great many children running about the small towns who ought to be in industrial schools, and they would be proportionately as large as in a city. In the city of Belfast the children can easily get work, and in these other places they cannot, and in all probability you would find more children in proportion to the population in these counties than you would find in the city of Belfast. I think you could not make a case out of that.

2493. Do you think there is no appreciable difference between Belfast as an industrial centre in this matter and the county of Carlow, for example?—I am not much acquainted with the county of Carlow, but I do not think you could make much of that point.

2494. Is it your Lordship's opinion that if the powers sought by this Bill be conferred on the Corporation of Belfast, that body would, first of all, let me put it, refuse to make the legal agreements with Catholic Industrial Schools; does your Lordship believe that?—What I believe is this, that judging from the past treatment that Catholics have received from the Corporation of Belfast we cannot have any confidence that we will get fair treatment in the future.

2495. That is a general statement?—That is just the proper statement, to my mind.

2496. I am quite willing to take your entire want of confidence in Belfast; but the Committee have to make up their minds on a special point, and I want to know if your Lordship thinks that this body in charge of affairs at Belfast would decline in face of their responsibility to make the necessary legal arrangement with the industrial schools for the support of these children; does your Lordship think that?—In giving my evidence I do not wish to refer to any individual member of the present Corporation or to throw any reflections upon any member as a private citizen; but as members of the Corporation, it is very hard to say what they will do; and moreover, they cannot bind their successors.

2497. That is true of all assemblies, is it not?—Yes.

2498. It is even true of the House of Commons?—Yes. Judging by the past action of the Corporation of Belfast we certainly cannot have any faith or reliance on what our treatment will be hereafter.

2499. But your Lordship declines to affirm to this Committee that they would take that step in your opinion?—How could any one be a prophet and declare what will take place in the future?

2500. I understand

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[Continued.]

Chairman.

Mr. Knox—continued.

2500. I understand your Lordship to say you have a general want of confidence in the Corporation?—Yes.

2501. But you decline to say on what specific points they will decide against you?—I think I ought not to be asked to swear that.

Mr. Sexton.] The witness has given specifically five different and very clear ways in which the corporation could damnify the Catholic schools if they chose.

Witness.] And they have it in their power to do that.

Mr. T. W. Russell.

2502. Mr. Sexton also asked whether it would not be within the power of the Corporation of Belfast to injure the Catholic industrial schools in Belfast by sending the children to other schools out of County Antrim or County Down, and your Lordship said they would have power to do that?—I think so.

2503. Have the other bodies throughout Ireland not the same power?—Certainly they have.

2504. And would you deny to the Corporation of Belfast the power that has been freely given to every other body having this business in hand in the rest of Ireland?—If you can find any other corporation in Ireland treating the two sections of the people, Protestants and Catholics, in the manner in which the Corporation of Belfast have treated them for years past, I would deny that power to them.

2505. Have you ever found since your Lordship went to Belfast, or have you ever known of a case where the local justices on the bench at Belfast were guilty of any injustice with regard to the commitments of these children?—I never kept a record of this.

2506. But I am perfectly certain that you keep a very jealous eye, and properly so, on them?—I never kept any record of that; but if there is another Bill to come up next year we would keep a record.

2507. But you wish the borough justices to be deprived of this power, and you wish it to be committed to the hands of stipendiary magistrates. I am very glad to find there is so much confidence in those magistrates, I am bound to say. But I ask you this question: These borough justices having had this power of commitment under the Act, is your Lordship able to give us a single case where in your opinion they have been guilty of the slightest injustice towards Catholic children?—I cannot give you that. I have kept no record of the cases before them, but it does not follow there were not the cases.

2508. But I think when you are coming here practically seeking to cast a reflection on the borough bench by taking the work out of their hands which the Act of Parliament has committed to them, if you had any record to bring you ought to have brought it to the Committee?—What we wish is that the recommendation of the Commission in 1887 should be carried out.

Mr. Knox.

2509. As to the point that Mr. Russell has made about the difference between Cavan and

Belfast, I believe your Lordship heard the evidence that we had on the point before. There are 70 school children from the county of Cavan who have been committed to industrial schools out of a population of about one-third of the population of Belfast. I also think your Lordship heard the evidence of Dr. O'Farrell to the effect that there were a great number of children besides these 70 in the county Cavan who ought to have been committed to industrial schools, but who had not been committed to industrial schools because of the conduct of the grand jury?—Yes, I think he gave such evidence.

2510. Examining those figures it would appear as your Lordship said that there is really no great difference between the circumstances of county Cavan and the circumstances of Belfast, except that the Belfast population is bigger than the Cavan population?—I give my evidence in a general way, and I suspect there would be very little difference.

2511. Do the figures bear out your opinion. There is no great difference, is there, between the character of the gentlemen who compose the Corporation of Belfast, and the gentlemen who compose the Grand Jury of Cavan. Colonel Sanderson for instance is a prominent member of the Grand Jury of Cavan, and there is no great difference between Colonel Sanderson and Sir James Hackett for instance?—I do not know the gentlemen of Cavan at all.

2512. It has been suggested that the two bodies are so entirely different. As to the Board of Control, Dr. O'Farrell, I suppose, represents the medical side of the Board of Control?—Yes.

2513. But the Board of Control also includes the Chairman of the Board of Works?—Yes.

2514. And Mr. Owen, I believe, was employed in this matter on behalf of the Board of Works?—I believe so.

2515. Therefore we must take it that the Board of Works, looking not to the medical questions, but to the other questions involved in a separation, thought it would be better not to have that separation at present?—Yes. They seemed to be of opinion that it was not desirable on financial grounds, at all events, to make the separation until the two asylums got a proper control to see how they would work.

2516. It has been suggested that there is some similarity between the circumstances of the appointment of the magistrates, and the circumstances of the appointment of members of this Asylum Board. I believe, as a matter of fact, justices of the peace are not appointed by the Lord Lieutenant, but by the Lord Chancellor?—Yes, that is so. They are recommended by the Lord Lieutenant of the county.

2517. It is, of course, an entirely different thing. I believe that the course which has been followed by the present Lord Chancellor of Ireland in his appointment of justices of the peace has given the greatest dissatisfaction throughout the county?—I cannot say anything about his appointments lately.

O 4

2518. I notice

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[Continued.]

Re-examined by Mr. Sexton.

2518. I notice that there is no editorial reference in either the "Irish News" or the "Morning News" to these advertisements, and that they appear in very unobtrusive type in crowded columns. If your Lordship read these newspapers, did the advertisement escape your attention?—I never saw them.

2519. I notice that in the "Irish News" whilst this particular advertisement is in small type and crowded, there are about it in that neighbourhood very conspicuous advertisements about fruit, jams, Yorkshire relish, and Irish whiskey, which would probably attract more attention?—Yes.

Chairman.

2520. Can you tell us what is the proportion of Catholics to Protestants in the county

MR. WILLIAM McCORMICK, sworn; Examined by Mr. Sexton.

2524. You are a ratepayer and a burgess of Belfast, I believe?—I am.

2525. Are you one of the signatories to the Catholic petition against the Bill?—I am.

2526. Do you adopt the reasons put forward in that petition?—I do generally.

2527. And support its prayer?—Yes.

2528. You have been in business in Belfast as a house agent for many years, have you not?—Yes.

2529. In the pursuit of your calling have you special opportunities of learning the opinions of your fellow-citizens, especially the Catholics, on questions of interest to them?—I have.

2530. Do you say the petition represents faithfully the views of the Catholics of Belfast?—I do.

2531. I believe you yourself attended the meeting at which the Committee were appointed who drew up the petition?—I attended the meeting at which the petition was adopted.

2532. Was that a second meeting?—That was the only meeting which I attended or which I think I had direct knowledge of.

2533. Was that a representative meeting?—It was.

2534. Have you heard anything about the meeting of the ratepayers to sanction the Bill?—No, I did not hear of it.

2535. Do you say for the reasons and on account of the local atmosphere, with which the Committee have now become quite familiar, that the Catholics of Belfast are resolutely opposed to giving to the Council any absolute control over the asylum or any power over the important system of the industrial schools?—That is their overwhelming opinion.

2536. To what do you attribute it?—To the system of exclusion adopted by the corporation in their management of public affairs in respect of Catholics.

2537. Various ingenious theories have been put forward here to account for the exclusion of Catholics in Belfast; for instance, their politics,

of Antrim?—About one-fourth, in round numbers.

2521. About the same as in Belfast?—About the same as in Belfast.

2522. I think you said there were three Catholics on the Asylum Board?—Two laymen and myself.

2523. Have those been put on the board especially to represent Belfast, and are they Belfast men?—Dr. Cumming, of course, lives in Belfast, and Mr. Hamill lives in the suburbs of Belfast. He was first a borough magistrate, and then he has been advanced to be a county magistrate; practically they are both in Belfast.

[The Witness withdrew.]

their want of influence, their lack of social position, their want of wealth; what is your opinion as to the real reason?—Because they are Catholics.

2538. It is simply an ostracism of creed, is it?—That is my judgment.

2539. When it is suggested, for instance, that the question of House Rule is a consequence of exclusion, do you remind the Committee that they were equally excluded before it was ever heard of, as they are now?—To my knowledge, that is so.

2540. Reflections have been cast on the social position of Catholics in Belfast, and suggestions have been made that they are not fit for admission to the council.

Mr. T. W. Russell.] Who by?

Mr. Sexton.

2541. By witnesses. (To the Witness.) Do you know of anything in the education or position or wealth of the members of the Belfast Town Council, that differentiates them from the leading Catholics of that city or the councils of any other city in Ireland?—I do not know anything very strongly which marks them from the ordinary run of traders, as in most instances they are.

2542. Shopkeepers and solicitors, and so forth?—They are honourable and respectable men, I dare say, in their way, and fairly intelligent men; but very large numbers of my co-religionists are equal in mental capacity.

2543. When these offensive and arrogant pretensions are put forward, I should like to ask if you know of any other council in Ireland where, within the last few years, one gentleman who was a Protestant was convicted and sent to penal servitude, and two others were convicted of forgery and sent to prison?—I would rather not speak of individuals.

2544. I am not asking you to speak of individuals; but did these things happen?—Yes, that is the fact.

2545. As to the question of whether any Catholic employs more than 100 men, are there not such men as the owner of Rose's Mills; Mr. Edward Hughes, one of the principal bakers in the

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[Continued.]

Mr. Sexton—continued.

the kingdom; Mr. Caffery, and Mr. Guinness, who employ hundreds of persons?—They employ hundreds of persons, and a few you have named perhaps employ a hundred. Plenty of Catholics hold a good position in Belfast, and employ labour.

2546. There are about 30 Catholic doctors practising in the city, are there not, and about a dozen solicitors?—No; there are about a dozen Catholic doctors and 30 solicitors.

2547. At any rate there are between 50 and 60 Catholic professional men in the city?—There are.

2548. Is it not a fact that all these employers of labour, these traders and Catholic professional men, are effectually excluded, because of their creed from any representative position in the public life of Belfast, as if they were felons or aliens?—They are excluded.

2549. You heard the evidence of the Bishop of Down and Connor upon the powers which the Council would have if this Bill were passed with regard to the industrial schools, did you not?—Yes.

2550. Do you generally agree with his Lordship that there are several ways, such as by the withdrawal of all contribution, by the limiting of numbers, by a policy of committal of children outside Belfast, which would set on the local bench if approved by the town council and in various ways in which at their pleasure they might cripple or destroy the local schools?—Yes.

2551. Of course they could also cripple these schools by refusing as the local authority, if they got these powers to give a guarantee for the purpose of raising funds for the extension of these buildings?—They could.

2552. Do the grand juries of Antrim and Down act fairly now?—They do.

2553. And they gave, too, as high a contribution per week as is given by any body in Ireland, do they not?—So I understand.

2554. Have you any confidence that any clauses which may be introduced into this Bill would secure that the Corporation of Belfast as the grand juries should be induced to act as well as the grand juries act of their own accord?—I do not see how they can be compelled to do so.

2555. Do you think the only safety for Catholics is to refuse them the power?—I think the only safety for Catholics is to refuse them the power.

2556. I believe it has been suggested here that the power of the corporation in regard to the local bench is not so great as we represent. How many members of the council are on the local bench?—I think there are 12.

2557. The mayor was omitted, I believe, by the town clerk?—I do not know whether he was omitted. It was stated there were 11, but there are 11 without the mayor.

2558. The borough treasurer is also a magistrate is he not, and an officer of the corporation?—He is.

2559. Then there is something very important entirely omitted in the instructions which the town clerk gave to his council; and that is, I understand, that in addition to these 12 or 13 there are 13 other justices who have been

Mr. Sexton—continued.

members of the council?—Yes, there are at least 13 justices who have been councillors.

2560. Were they appointed justices whilst they were councillors?—I believe generally speaking, they were.

2561. And because they were councillors?—Because they were councillors.

2562. And there is a close sympathy between the town council and the whole body of those who either by recent or past or present services in the council are justices on the local bench, is there not?—Certainly.

2563. Have you any doubt that these justices who are or have been town councillors would follow out any line of policy in regard to industrial schools initiated by the council?—There would be very strong temptation on their part to do so.

2564. And therefore questions pointing to particular cases of injustice do not preclude this case; because you submit that whatever the local justices may have done hitherto, they will now, because of the new condition of things, be under temptation to do differently?—A new condition of things would exist.

2565. A condition of things which, in your judgment, would be likely to lead to partial action?—Yes.

2566. Do you think, for instance, if the council made agreements for the reception of children in other parts of Ireland at a cheaper rate than is paid in Belfast, that the ex-town councillors and the town councillors who are on the bench would commit these children to those schools?—They would use such powers as they have to carry out the policy of the corporation.

2567. And one way of doing that would be to commit children to schools out of Belfast?—That would be one way open to them.

2568. I believe the tendency still is to go on appointing justices out of the council?—I draw that conclusion from the recent appointments.

2569. What are the details of those?—Out of six or seven magistrates recently appointed, three of them are members of the Corporation and one of them the Borough Treasurer.

Mr. T. W. Russell.

2570. Who is he?—Mr. Johns.

Mr. Sexton.

2571. In short then you would represent that the council, in whom you have no confidence, would have absolute power to cripple or destroy the efficiency of any Industrial School, and that the bench being so largely constituted of past and present members of the council would no doubt act in conformity with any policy which the council initiated?—There would be strong temptation for them to do so, and the probability is that they would carry out the policy of the Corporation as far as they reasonably could, consistently with their duties as justices on the bench.

2572. Would they do you think see anything inconsistent with their duties as justices in committing children to schools in other parts of Ireland rather than Belfast, if the council made agreements on those matters?—I have not the slightest doubt they would be satisfied that they were

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[Continued.]

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were discharging their duty as justices if they did so.

2573. The result might be that the schools of Belfast, which have been raised at great cost and great sacrifice, and maintained under circumstances of great expense, might find it impossible to continue?—They might.

2574. You feel in your own mind no assurance whatever that that might not become the case?—No.

2575. Do you approve of the suggestion that the Lord Lieutenant should be appointed to empower a Commissioner to redistribute the wards?—I do.

2576. Do you think it would result in a proper representation of the Catholics?—I think it would result in the representation of the Catholics.

2577. Do you desire to point out to the Committee that in West Belfast, one of the four Parliamentary divisions, there are 32,000 Catholics out of a population of 61,000?—I believe a recent census shows that.

2578. Have you the slightest doubt that any fair distribution of wards, especially if pointing to the representation of different denominations would give in that region of the city a ward which the Catholics could control?—It would give them an opportunity, and I believe they would be successful in returning representatives.

2579. In that region of the city were things so devised 40 years ago as to break up the Catholic population into two or three divisions, so that they were swamped and could return no one?—The district of the city in which the Catholics chiefly reside or where they are largely in the majority is cut into two by the present arrangement.

2580. By that arrangement the Catholic bodies in each case are cancelled as to representation, are they not?—The one is thrown on one side, and the other on the other.

2581. It is suggested the corporation do not oppose the redistribution. I suppose you are aware they have opposed it, and that they do not now assent to giving the power to the Lord Lieutenant to do it?—I cannot call to mind their direct opposition to it; but in my judgment it seems, as they are the local authority in it, and can remedy the evil, that their not taking any step to do so is a great cause of complaint.

2582. Do you consider that as a matter of obvious justice the passing of this Bill, affecting Catholic interests so profoundly as it does, ought to be preceded by an arrangement which would give the Catholics a proportionate representation on the city council?—Yes.

2583. Do you think the Bill itself is unjustifiable considering the advent of elective governments in the counties of Ireland. Do you think it right for instance that the ratepayers of Antrim and Down should be bound for many years to come by financial arrangements made by this private Bill which after a year or two when county councils come they will be unable to disturb?—I do.

2584. The corporation propose that the cost of this Bill and of the asylums and schools under it shall be placed on the General Purposes Rate, do they not?—Yes, I suppose I may take it that

Mr. Sexton—continued.

that is the intention. I am informed so; I have not seen the clause in the Bill.

2585. The General Purposes Rate is a uniform rate, is it not?—It is.

2586. It was formerly differential, was it not?—I do not think it was; the police rate was a differential rate.

2587. Are you not aware it was a differential rate?—I do not know.

2588. At any rate it is now a uniform rate?—Yes, it is.

Mr. T. W. Russell.

2589. What do you mean by a differential rate?—Varying in the assessment per pound upon a different building.

Mr. Sexton.

2590. Whatever may be the value of a building or premises, the general purposes rate is 2 s. 10 d. within the district, and 2 s. 1½ d. outside. There is a police rate which is differential?—Yes.

2591. For every 20 l. it is 1 s. 2 d. in the pound, and under 20 l. it is 7 d. in the pound?—Yes.

2592. That falls more lightly on the poorer class than on the wealthier, does it not?—That is so.

2593. The policy of the corporation for many years has been to throw each burden as it arose on the General Purposes Rate, which causes as great an absolute pressure on the poor as on the rich, and a greater relative pressure?—Yes.

2594. Do you think it unjust to place these burdens for the asylums and schools on the General Purposes Rate?—I think it is unfair.

2595. Would you suggest that it should be laid on the police rate?—I do.

2596. Do you think that as the rates are at present fixed in Belfast they press unduly and heavily on the working classes?—Yes, I do.

Cross-examined by Mr. J. D. Fitzgerald.

2597. At present, by Act of Parliament, all the expenses are paid out of the General Purposes Rate, are they not?—I do not know whether by Act of Parliament; I dare say they are.

2598. At the present moment I dare say you know that those expenses are allocated between the County of Antrim and Belfast City by the Act of 1865?—Yes.

2599. And under that Act the contributions from the city are to be paid out of the General Purposes Rate?—I take it that that is so.

2600. Accordingly, is it not the right thing to do in a Bill of this kind, where you are merely transferring from one authority to the other the maintenance of the lunatic asylum, to follow the rule that was laid down in 1865, and pay the expenses out of the General Purposes Rate?—Not if it was a condition of things of which there is a right to complain, and of which I do complain.

2601. My friend, Mr. Pope, points out that you are complaining, not of this Bill, but of the Act of 1865, which settled the matter?—I do not understand your question clearly then.

2602. I think you probably have not studied the exact question of how the General Purposes Rate came to be applied to the maintenance of the lunatic asylum. But let me ask you another

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Mr. J. D. Fitzgerald—continued.

another question: you were present, I understand, at this Catholic meeting?—I was.

2603. Was that held on 21st March or 20th March? I see it is reported in the paper of 21st March, so I suppose it was held on 20th March?—Yes, it was held on 20th March.

2604. I gather the second reading of the Bill took place on the 26th February?—The second reading of which Bill?

2605. This Bill which is before the Committee?—I do not know that fact.

2606. At any rate, it took place before this meeting?—I do not know that that was so.

2607. Am I correct in saying that till the debate on the second reading of this Bill the Catholics of Belfast had not been alarmed about their interests at all?—No, you may not take that as so.

2608. When did the alarm first arise?—It had been spoken of a long time previously.

2609. When first?—I could not give you the date.

2610. There was no alarm at the time of the meeting of ratepayers in January; no Catholic attended to object?—No, none, I believe.

2611. At some time between January and March the alarm arose; what gave rise to it?—It existed.

2612. Did the debate on the second reading considerably fan that alarm?—I do not know; I could not say that; I know that the feeling existed from the very first when it was felt that the corporation were taking over the asylum and the industrial schools.

2613. I asked you the question because I notice from a report of the meeting that Dr. Dempsey was chairman, was he not?—He was.

2614. He said: "The present meeting would strengthen Mr. Sexton's hands and would enable him, if he was not able to defeat the Bill in Parliament, to obtain for the Catholics of Belfast some share in the representation of the city and a voice in the management of their local affairs?"—Yes.

2615. Then I see subsequently to that a resolution was passed in favour of cumulative voting?—No.

2616. Was not that so?—No.

2617. It was proposed and apparently was passed?—It was not proposed and not passed.

2618. I think you are wrong?—But I am sure I am not.

2619. It was proposed by Mr. Dempsey, the gentleman who gave evidence here?—No.

Mr. T. W. Russell.] What paper is that in, Mr. Fitzgerald?

Mr. J. D. Fitzgerald.] The "Morning News."

Mr. Pope.] Was it a proposal or only a suggestion?

Mr. Fitzgerald.] Is it not the Mr. Dempsey who was here who spoke.

Mr. J. D. Fitzgerald.

2620. At any rate, the real object of that meeting was not to pass this Bill, but to make a report about the redistribution of wards or cumulative voting, was it not?—It was not.

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Mr. J. D. Fitzgerald—continued.

2621. You do not agree in that?—Distinctly not.

2622. I think you told the honourable Member who examined you that your objection to this Bill and your fear of the corporation arose from the exclusion of Catholics?—Yes.

2623. I suppose, if there were a certain number of Catholics in the corporation, you would have no objection to the Bill?—I could not say that.

2624. Are you prepared to say the contrary?—No, I am not. I cannot say anything about the condition of things until I see it, and see how it works.

2625. There were formerly Catholic representatives, were there not?—Yes.

2626. Mr. Hamel, Mr. Rose, and Mr. Bernard Hughes?—Yes.

2627. And Mr. Henry Mahoney?—I did not know that, but you are speaking now of a period a long long time ago, over 20 years ago.

2628. What I was referring to is the report of the meeting was this: Mr. Dempsey said, "It has been seconded, and I ask for a vote on the resolution?"—What had been seconded?

2629. That was a resolution about cumulative voting; a Mr. McLaren thought Catholics in Belfast were unanimous on the subject of cumulative voting, as it was the only chance for Catholic representation; Professor McCormick said "he was also of that opinion. Such an expression of opinion should go from that meeting." Then there was some further discussion, and Mr. Hamilton seconded the amendment, which was carried by a large majority; was not that the amendment in favour of cumulative voting?—No.

2630. What was the amendment?—That the meeting be adjourned.

2631. Do you mean no resolution was passed on the subject of cumulative voting?—I do distinctly.

2632. Perhaps you are right: do you hold the office of deputy collector of the county cess?—I do.

2633. Who appointed you to that office?—Mr. Lyons.

2634. Is he a prominent man in the county Antrim?—He is.

2635. Is he a prominent member of the Orange Society?—He is.

2636. County Grand Master?—Deputy, I understand; but he may be Grand Master.

2637. Then you do not seem to have suffered through being a Catholic?—He is not a member of the corporation; he is not the town councillor. I do not complain of individuals.

Mr. T. W. Russell.

2638. In reply to Mr. Sexton you said that the borough hench would have the power to send these children to other industrial schools than those of Belfast, and that that might in that way ruin the Catholic Industrial Schools?—Yes, large numbers of them would have the power.

2639. Large numbers of whom?—Of the local hench.

2640. The committing justice would have the power?—Yes; I do not refer to the justices, but

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I say

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Mr. McCormick.

[Continued.]

Mr. T. W. Russell—continued.

I say large numbers of them are members of the corporation.

2641. That is not the question; the evidence you have given to the Committee is this: that the justices who commit these children to the industrial schools would have the power to send them to any industrial schools in the country, and by so sending them to those schools might ruin the Belfast schools that have been erected at great cost and great sacrifice?—Yes.

2642. You have not found, however, that the borough justices have done that up to the present, have you?—No.

2643. In what way do you suggest then that these magistrates, having acted fairly in the past, are likely to act unfairly now, and do what Mr. Sexton suggested to you?—The matter is that the Town Council now become directly contributory bodies to these schools, and if they choose to adopt a policy of exclusion as against Catholic interests and refuse to contribute to the schools or send the children to distant schools, they have upon the local bench large numbers of magistrates who will sympathise with that policy and adopt some one of the courses that have been mentioned to starve the schools.

2644. Are you aware that the committing justices throughout Ireland have the same powers?—I am.

2645. You would not be conferring on Belfast power that the justices throughout Ireland have not got?—What is your question?

2646. A Dublin magistrate for example might commit to any other school?—I suppose so; I take it that he might.

2647. Therefore, would you restrict the Belfast Bench in a way you would not propose to restrict any other bench?—I would; I would propose that a provision be made for the condition of things existing in Belfast.

2648. For the express purpose of restricting Belfast?—Yes.

2649. On what ground; not on the ground of their past action?—No, it would be as to the new condition of things.

2650. Pray explain on what ground you would propose to put this restriction exclusively on the bench of Belfast?—Because the Catholics of Belfast believe there is a real danger that an injury might be inflicted on the schools, and because there is a means of minimising that danger by leaving the commitments in the hands of the resident magistrates.

2651. Then what you ask the Committee to do, in face of the evidence given by both sides here, that the action of the magistrates in the past has been perfectly fair in regard to these commitments, is without the slightest evidence of mischief, to put this restriction on the Belfast bench?—The action of the magistrates in the past has nothing to do with the question.

2652. That is for the Committee?—My judgment is that a new condition of things would exist. The city council will be direct contributors to the schools, if they contribute at all. Hitherto they have not done so, and they have no power to refuse their contributions to the schools if the grand jury pass the presentment.

2653. Then your opinion is that, as at present constituted, the corporation of Belfast is wholly bad?—Is wholly bad?

Mr. T. W. Russell—continued.

2654. Yes, that is you have no confidence whatever in it?—"Wholly bad" is a very wide statement to make.

2655. You have no confidence in them as regards Catholic interests?—I have no confidence in them as regards Catholic interests as a body.

2656. The most that the Catholics of Belfast under any arrangement could expect would be a small minority in that corporation?—Yes.

2657. That is the most?—Certainly.

2658. If this is a body so regardless of Catholic interests would it not be quite possible for the majority of the corporation even under the improved circumstances that would give you a minority in it, to do exactly what you fear?—Certainly.

2659. And do you think it would?—I think it would be less likely perhaps to do glaring injustice if there was a minority who could always call attention to their injustices, and who could offer opposition to it and appeal to their sense of justice and to their reason.

2660. You have told us there was a minority of Catholics at one time in the Belfast Corporation. Were the proceedings at that time any better as regards Catholics than they are now?—I believe they were.

2661. Did they employ more Catholics?—I believe there were more employed.

2662. Do you believe that now?—I cannot say that.

2663. Do you believe that?—If you ask my belief, I answer you truthfully, I do believe it.

2664. Have you any knowledge of it?—I cannot call to mind the particular people. It is a long time ago, and I was young then.

2665. How long is it ago?—It must be 25 years ago. It must have been some time in the sixties.

2666. Do you mean to inform the Committee that the more democratic the Corporation has become the worse it has become as regards Catholics?—No, I do not.

2667. What do you mean by telling them it was better then than now?—That the spirit of exclusion is stronger now than then.

2668. Then it has become worse from your standpoint?—I say so.

2669. You say there are twelve justices who are on the bench who are members of the council?—Yes.

2670. And you say there are about a dozen on the bench who have been in the council?—At least a dozen, say 13.

2671. Amongst all the things you are prepared to do to the people of Belfast are you prepared to make this law: that a man who has been in the council is not to be on the bench?—No.

2672. Then what do you introduce that element for?—To show the facility that the corporation would have if they adopted a spirit of exclusion in respect to the industrial schools; that they have on the bench large numbers of those who are members of the corporation, or were members of the corporation, and would be in perfect harmony and sympathy with them.

2673. And do you ask this Committee to believe that a Belfast merchant invested with the responsibility of a commission of the peace, and sworn

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Mr. McCORMICK.

[Continued.]

Mr. T. W. Russell—continued.

sworn to do his duty fairly between man and man, would enter into connivance with the Corporation of Belfast to carry out any theory of theirs?—I ask the Committee to believe that these men, of whom you say so much, would consider themselves perfectly justified in sending their children to distant schools or throw obstacles in the way of supporting the local schools, if that were the policy of the Belfast Corporation.

2674. Have they done it in the past?—The condition of things in the past is no criterion for the condition of things that will exist if this Bill is obtained.

2675. Have magistrates elsewhere a right to do that under the present law?—They have, I believe.

2676. Have they done it?—I cannot tell what is done elsewhere.

2677. How do you come to imagine the Belfast magistrates are going to act in a way in which it has been proved they have not acted in the past. By what process of reasoning do you ask the Committee to believe that those gentlemen, simply because there is a Protestant corporation in Belfast, are going to act in that way?—Those gentlemen are and have been members of a body who have acted in a most exclusive manner so far as Catholics are concerned; and I say and represent to the Committee that there is a great danger that they would exercise their powers so far as their office would permit them.

2678. That is a most important safeguard?—I think, certainly, so far as their office will permit them, they will not favour Catholic interests.

2679. Then is your objection to the Belfast Corporation, that it is a Protestant Corporation, or that it is an exclusive Corporation?—That it is an exclusive Corporation.

2680. Exclusive because it is Protestant?—Partially.

2681. Can you tell me how in any way, under present circumstances, you can get Catholics into the Corporation of Belfast?—I believe that if the wards were re-arranged—

2682. Under present circumstances, I say?—No; if the Corporation as a body, or the political associations oppose their entry, it is impossible for them to get in.

2683. That is to say that with household suffrage it is quite impossible for a Roman Catholic standing for election as a councillor to be successful?—Yes, under the present arrangements, and the elections taking place under the present areas.

2684. Can you tell me how the Corporation of Belfast can prevent that?—I cannot; but as a local authority I think they could.

2685. I am speaking of present circumstances; I am not speaking of any re-arrangement of wards?—I have said under the present electoral areas it is impossible.

2686. And anything that the Corporation could do would be ineffectual, you think, even if they tried?—Yes.

2687. And the Roman Catholics do not stand? They do not.

2688. They cannot be elected if they do not stand, can they?—No, they cannot.

Mr. KERR.

2689. I believe Catholics have stood for the position of City assessor, have they not?—Yes; and for the council in recent times, too.

2690. And they have always been defeated in recent times?—Certainly.

2691. Twenty-five years ago there was a representation of Catholics upon the Council, was there not?—Yes.

2692. But I understand that that representation never at any time exceeded two?—Two or three; the name of one gentleman was mentioned.

2693. But at one time?—At one time I think it never exceeded more than two.

2694. It has been suggested that the Belfast magistrates if they were restricted in this way would be suffering from an injustice that would not apply to the Dublin magistrates. On the contrary I believe what you ask is that in a small matter the rule which applies in Dublin should apply in Belfast?—Yes, I think so. I say it should be confined as far as the commitments are concerned to the resident magistrates.

2695. In Dublin it is confined to the stipendiaries?—So I am informed.

2696. And all other petty session businesses?—Yes.

Chairman.

2697. Then in Belfast do they sit in conjunction with the stipendiary?—They do to administer justice.

2698. Is this stipendiary always present?—There are two of them, and I think they are expected to be.

2699. One is always present?—Nearly always present. There are two courts, a summons court and a custody court; a court for prisoners and a court for civil matters. They are expected to give daily attendance I believe, and in fact I think do give daily attendance.

Mr. KERR.

2700. As to the suggestion that Catholics did not at first feel any alarm about this Bill, I suppose the fact is that most of them had never heard of the Bill until there was a discussion about it?—Speaking for myself I did not hear much of it until I saw the advertisement calling a meeting. I heard it spoken about, but I did not know the full import of it.

2701. Naturally the full details of municipal matters are not generally understood?—You see the Catholics have such a small voice in municipal matters, that they did not give much attention to this public notice in connection with matters municipal.

2702. When you make a suggestion that there should be a change in the incidence of the rate for these lunacy expenses, do you do so because you believe there will be a great increase in the amount spent?—Yes, and the expense is fixed by the Act of Parliament, and must fall on the General Purposes Rate. It is said so; but if it be not so the expense should fall upon this police rate, because it would give a great relief to a class of inhabitants and a class of property that largely prevails in Belfast, that is the working-class and the lower middle class.

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2703. I believe

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Mr. McCORMICK.

[Continued.]

Mr. Kner—continued.

2703. I believe now the expense, as a matter of fact, of the lunatics who are in the workhouses falls in equal proportion on the landlord and the tenant, does it not?—Yes, through the instrument of the Poor Rate.

2704. And if those 200 lunatics are transferred to the asylum, the cost will fall entirely on this General Purposes Rate?—Yes.

2705. Which would be paid entirely by the occupier, and which would press severely upon the

Mr. Kner—continued.

poorer class of occupier, would it not?—It would be paid in many instances by the occupier, but in the case of the working classes it would be paid by the owner; but, of course, indirectly again by the occupier, inasmuch as the owner charges his price in proportion to the tax he has to pay. He regulates his rent largely by that where he can.

[The Witness withdrew.]

The Rev. DANIEL MCCABE, sworn; Examined by Mr. Sexton.

2706. You are the corresponding manager, are you not, of the Catholic Male Industrial School of Belfast?—I am.

2707. The school, I believe, is managed by yourself in conjunction with the committee?—There is a committee, and I am one of the committee, and corresponding manager.

2708. I believe the functions of yourself and the others are gratuitously discharged?—Yes.

2709. I understand this is the only male industrial school in the whole province of Ulster?—That is so.

2710. And do you represent, therefore, to the Committee that to preserve the efficiency of this school upon a safe foundation is of extreme importance to the Catholics of the northern province?—Exceedingly so.

2711. Is your school maintained almost wholly by commitments from the town of Belfast?—Yes, a principal part of the commitments are from Belfast.

2712. Not only the principal, but all practically?—All except a few.

2713. Your existence depends on the commitments from Belfast, does it not?—Practically.

2714. And anything that would disturb the present system or tend to disturb the present system by which children committed from Belfast are sent to local schools, would place your institution in danger, would it not?—Yes.

2715. Do you receive contributions from the Grand Jury of Down as well as from the Grand Jury of Antrim?—We receive contributions from each.

2716. But you, of course, depend chiefly on Antrim?—Yes.

2717. Do these juries pay you half-a-crown a week for each child?—Yes.

2718. I believe that is the highest contribution paid by any contributory body in Ireland; I mean others pay half-a-crown, but none pay more?—None pay more to my knowledge.

2719. In some cases the contribution falls as low as a shilling a week, does it not?—Yes.

2720. Although rural schools cheaply built and cheaply maintained might support themselves on a shilling a week it would be impossible for you, I suppose, to get on with less than half-a-crown a week in an expensive town like Belfast?—We could not carry on the school in an efficient condition if the rate were lowered.

2721. Have you any complaint to make of the action of the grand juries of Antrim and Down?—No.

2722. On the contrary you have to state, I think, that your experience is to be regarded

with satisfaction?—Since I have had charge of the school they have contributed uniformly the half-crown and have made no objection to it.

2723. Considering the difficulty created by matters relating to roads in some parts of the north of Ireland, and beyond all comparison in Belfast, with whose strange history we are acquainted, would you strongly urge on the Committee that as this important system is working well under the present arrangement it would be only common sense to refrain from changing it?—In that matter I would desire to see no change.

2724. Do you agree with his Lordship the Bishop of Down and Connor as to the various modes in which the council may cripple or destroy the school?—Yes.

2725. By having matters perfectly at their discretion?—No doubt.

2726. Do you think it likely also that in consequence of the strength of the council on the local bench, if the council unfortunately determined to take any course prejudicial to your schools, the local bench by their action would be likely to develop it?—I feel there would be great danger of that.

2727. Whatever they might have done up to the present time, the new state of things created by the Bill you think would create an alteration to which the local bench might succumb without any intention of wrong doing?—I think so.

2728. Do you think any clause put into the Bill would effectually protect you?—Not effectually; but a clause should be put in, I think, that children should be committed by the resident magistrate only, which would protect us to some extent.

2729. As in Dublin?—As in Dublin.

2730. Do you think that to take you away from a relation to bodies who willingly contribute towards your maintenance, and to put you into the hands of a body who might be reluctant to do it, would be a change which no clause could protect you again, and which would put you in the position in which you are at present?—I think so.

2731. And no language in an Act of Parliament you think could provide for the difference in your position?—No.

2732. And you beg the Committee to leave you as you are?—I wish them to.

2733. You stand in a somewhat peculiar position, because I understand that some years ago the Board of Works made a loan of 5,000 £ to pay for the expenses incurred in the building and equipment

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Rev. D. McCASHAN.

[Continued.]

Mr. Sexton—continued.

equipment of your school?—Yes, that was in the year 1888.

2734. You have workshops in connection with the school, have you not?—Yes, we have large shops.

2735. For which and other purposes you incurred this liability of 5,000 £?—Yes.

2736. The Board of Works agreed to advance the 5,000 £?—Yes.

2737. But they required that the local contributory body, namely, the grand jury of Antrim, should pledge the county cess, and become guarantors in order that it should be paid?—Yes.

2738. The system is that a grand jury pay the instalment themselves to the Board of Works, and you recoup the grand jury, is it not?—Yes, I pay them twice a year.

2739. Are the jury secured by a mortgage on your premises?—They are secured by a mortgage on our premises.

2740. Could they be entitled to come in and foreclose on that mortgage in case you failed to pay?—Certainly.

2741. By the Bill, as it originally stood, the corporation only proposed to carry out a contract which related to the maintenance of children, that is to pay half-a-crown a week for children already committed. I see by the amendment of the Bill they qualify that with reference to arrangements entered into by the grand jury. They propose by a new clause brought to your notice to-day, to pay to the grand jury one-half of any sum which the grand jury may have paid to the Board of Works in execution of such a guarantee?—Yes.

2742. Then the position will be this: that the grand jury will hold the mortgage, and that the corporation will be liable to the grand jury for half the money, will it not?—I do not know who will hold the mortgage, but I suppose that would be the arrangement.

2743. How do you think that would work?—I do not know. I prefer the existing state of things to having the responsibility of the guarantee divided between two bodies, the corporation and the grand jury.

2744. What sum will be payable to you annually by the corporation if this power were given; how many children are there in the school?—One hundred and fifty we are certified for. That would be about 900 £.

2745. How many of them come from Belfast city?—I suppose more than four-fifths come from Belfast city.

2746. One hundred and twenty?—More than that.

2747. At 6 £ 10 s. per annum, that would be about 800 £ the corporation would have to pay you?—Something like that.

2748. What is the amount of the instalment annually you have to pay to the grand jury?—£ 125 half-yearly, in addition to the insurance.

2749. So that the amount the corporation bind themselves to pay in the event of any default on your part is 125 £ a year only?—That is so.

2750. The charge upon them in respect to your school would be 800 £ a year, would it not?—Yes, or thereabouts.

2751. So that if it appeared to them to be

Mr. Sexton—continued.

desirable upon any grounds to bring your school to an end, of course the saving to the rates would be very many times as much as the amount of guarantee they propose to give by this clause?—That is so.

2752. At any rate, do you think this is a complicated and doubtful method, and do you prefer to remain as you are under the grand jury, liable to the Board of Works and having a mortgage on your property?—Yes.

2753. You would be particularly apprehensive if the corporation obtained any rights as joint mortgagors or obtained any control over you, would you not?—I would not have confidence in them.

Cross-examined by Mr. J. D. Fitzgerald.

2754. You know the corporation now contribute 92 per cent. of the amount paid to you by the grand jury, do you not?—I do not know the exact figure.

2755. Do you know the corporation have never in any way interfered or raised any question about the payment?—Not that I am aware of.

2756. That being so, what reason have you for supposing they would endeavour to cripple or destroy your school?—Because their connection with the school would be more direct under the new system than it is at present.

2757. The payment would be the same?—The money contributed would be the same.

2758. But instead of handing the cheque to the Grand Jury they would hand it direct to you. Do you represent to the Committee that for that reason the Corporation would endeavour to cripple or destroy your school?—Not for that reason only.

2759. For what other reason?—Judging from the past action of the Corporation. They have direct power to give money to the Catholics or keep it from them, but they exercise that power unfairly.

2760. But you see this is not a case where the interests of Protestants and Catholics conflict at all?—I take it that it is.

2761. Do you think it is a case where the interests of Protestants and Catholics conflict?—Yes, it is a denominational school.

2762. That does not make the interests conflict?—A child must go to a denominational school of course.

2763. If it does not go to your school it must go to some other?—Yes, if it goes at all.

2764. Do you represent to the Committee that the Corporation would prefer the children running about the streets rather than that they should be sent to a Catholic school?—No, I do not.

2765. I should like to have something definite from you; what do you think the Corporation would do?—It is not so much what they would do as what I am very apprehensive they might do.

2766. Your apprehensions do not seem to have taken any concrete shape?—It takes this concrete shape, that their whole tendency has been so much in the direction of excluding and crippling Catholics that when they get any more direct power they would use it in that same direction.

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Rev. D. McCASHAN.

[Continued.]

Mr. J. D. Fitzgerald—continued.

2767 One would understand it if this money that is going to you was to be taken away and given to a Protestant school instead; you might have some apprehension in that case; but whether the money is paid to you or not, the money must go to a Protestant school for Protestant children?—It may go to a school that they would not give so much contribution to.

2768. Do you mean they might send the children to a school in the south of Ireland?—Certainly.

2769. Why?—Simply for the reason that it would be to their interests.

2770. Would it not be a piece of petty tyranny to do a thing of that kind?—They have acted in many instances in that way. I cannot say so to particular instances, but their action in regard to Catholics has been deterrent.

2771. You mean the old way. We have heard that there are a larger number of Protestants than Catholics amongst their officials; do you refer to that?—Yes.

2772. Outside that can you give any instance in which the corporation of Belfast have acted unfairly to Catholics?—I am not aware of any instance where they have had the power of acting unfairly, except in those instances.

2773. You are not prepared to give any other instance?—No.

2774. Do you observe that their pecuniary interests would be, if the children are to go to industrial schools at all, to send them to the Belfast school, because they become liable for the guarantee?—It would not follow from that, because they have a mortgage upon our property, and hence it would not be a pecuniary loss to themselves.

2775. The grand jury have the mortgage, not the corporation?—Yes.

2776. Do you represent to the Committee that the corporation would try, by withholding their grant, to get you sold up by the grand jury?—I

Mr. J. D. Fitzgerald—continued.

have said I would not be prepared to say what they would do?—That is what I am apprehensive of.

2777. Except for some vague apprehension you are not prepared to state anything specifically?—I do not think there is anything vague about it, seeing the general tendency has been to exclude Catholics.

2778. We admit the general tendency is that the corporation is quite likely to be wholly Protestant if the electors continue to be of the same opinion?—I do not admit that. It will not follow that the corporation will be all Protestant, whether the electors are of the same opinion, because if they get the power to redistribute seats it would not be so.

2779. But as long as the present electorate are of the same view, I suppose it is likely to remain as it is?—As long as the present electorate and the present divisions are the same, the corporation will remain as it is.

2780. If there was a redistribution of wards, and you had Catholics, would your objections to the Bill go?—They would not be so great.

2781. But still you would have an objection?—I always have an objection to them, and they would have a majority and could do what they would like. But they would not be likely to exercise it to the same extent.

2782. So long as there is a Protestant majority you would have an objection to their exercising this power, would you?—I would not say a majority, but an overwhelming majority.

2783. There is always likely to be an overwhelming majority, is there not?—In the Catholic interest I am bound to have some objection.

2784. Assuming the Catholics were represented in the corporation in proportion to their numbers, you would still have an objection to the Bill passing?—My objection would be very, very much minimized.

Friday, 13th May 1892.

MEMBERS PRESENT :

Mr. Arthur Elliot.
Sir Edward Harland.
Mr. Hinckes.

Mr. T. W. Russell.
Mr. Sexton.

MR. ARTHUR ELLIOT, IN THE CHAIR.

Mr. Sexton.

I PROPOSE to call but one more witness, the Rev. James Hamill, of Belfast. We had intended to call Dr. Cumming, one of the nine governors of the Belfast Asylum, who have signed the petition against the Bill. We learned on Monday last that though we intended to do that, the summons for his attendance had only reached Belfast on Sunday, too late to enable him to attend the meeting on Monday. By some mischance no summons reached Belfast till Sunday. The other witnesses were in attendance on Monday because they left Belfast and travelled to London as soon as they were informed that the sum-

Mr. Sexton—continued.

monses had been ordered. Dr. Cumming intimated his readiness to attend upon a later day as he was unable to attend on Monday. In the meantime another of the nine governors, the Bishop of Down and Connor, attended voluntarily and without a summons in order to give his evidence to the Committee. Under these circumstances we thought we should best consult the desire of the Committee by not reduplicating evidence and prolonging the proceedings, and therefore we did not request Dr. Cumming to attend.

The Rev. JAMES HAMILL, sworn; and Examined.

Mr. Sexton.

2785. You are the parish priest of Whitehouse, Belfast, are you not?—Yes.

2786. Have you for 25 years had personal experience of Belfast and that part of Ireland?—I have.

2787. You are aware that this Bill proposes a scheme involving heavy financial liabilities and financial relations governing future years as between the city of Belfast and the counties of Antrim and Down?—Yes, I am aware of that.

2788. I believe there are four public bodies concerned, namely, the Corporation of Belfast, the governors of the asylum, and the grand juries of Antrim and Down?—There are.

2789. You say that the Corporation of Belfast is not fully representative, inasmuch as it represents only the Protestants in the city?—It is not at all representative of the Catholic portion of the city.

2790. And you submit that a scheme involving financially and otherwise the interests of the Catholics of that city should not be carried into law, considering how long their grievance has lasted, until some steps have been taken to afford the Catholics more representation in the local council as recommended by the Royal Commission 30 years ago?—Yes, I am strongly of that opinion, especially as in the event of the Local Government Bill passing the present Parliament, the delay would not be long if this Bill were put off until the Local Government Bill was passed. Practically speaking, the 180,000 Catholics of Down and Antrim and

Mr. Sexton—continued.

Belfast have but little voice in the arrangements now made; whereas if it were put off until the Local Government Bill had passed, the Catholics of the counties of Down and Antrim would have a voice in the arrangements that would then be made.

2791. First of all how many Catholics are there in the city?—At the present time the Catholics of the city have no voice whatever except whatever voice they give expression to here.

2792. And you think that, as a condition precedent to the passing of such a Bill as this, steps should be taken to carry into effect the recommendation of the Royal Commission of 1877, who reported in 1879?—I do think so.

2793. With regard to Antrim and Down, first of all you say that it is inexpedient that a Bill affecting the financial interests of the ratepayers of those two counties, and which is to govern future years, should not be passed whilst the ratepayers of those counties are entirely without representative government?—Yes, that is my opinion.

2794. There is no representative government in Antrim and Down at present?—That is so; they are only represented by the grand juries.

2795. And the grand juries are nominated by the High Sheriff and the High Sheriff by the Lord Lieutenant?—Yes, I am aware of that.

2796. Do you think that the case for delay is made stronger by the fact that the existing local bodies, such as the grand juries of Antrim and

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Rev. J. HAMILL.

[Continued.]

Mr. Sexton—continued.

Down, have inserted in their petitions declarations against the severance of the asylum district?—I think that their declaration should weigh materially in the consideration of this question.

2797. In regard to the Catholics, are there in the county of Antrim, outside Belfast, 36,000 Catholics, out of a total population of 154,000, or about one-fourth?—The Catholics of the county Antrim and Belfast together, I think, are 106,000. There are 70,000 in Belfast and 36,000 in Antrim. In Down, I think, there are 73,000 Catholics, out of a total population of 266,000.

Mr. T. W. Russell.

2798. You say that there are 36,000 Catholics in Antrim outside the area of Belfast?—In Antrim, including Belfast, there are 106,000 Catholics, and in Antrim outside Belfast there are 36,000 Catholics.

Mr. Sexton.

2799. Is the total population of Antrim outside Belfast 154,000?—The total population of Antrim is 427,968.

2800. What is the population of Belfast?—You will have to make a calculation, because Belfast includes, as I understand it, a portion of Down.

2801. Is it not a fact that the Catholic population of Antrim outside Belfast is 36,166?—I believe it is.

2802. Then in county Down, out of a total of 266,000, there are 73,000 Catholics, are there not?—There are 73,164 Catholics in Down.

2803. And in one of the Parliamentary divisions of Down the Catholics are in a majority of the population?—In South Down they are. They are 38,000 out of a total of 51,000.

2804. You have no doubt therefore that in any system of representative county government which may be established in Ireland, especially if there be electoral divisions, the Catholics will have material and substantial representation on the county councils?—I am quite satisfied that they will, considering the mode of voting.

2805. You think it unjust to anticipate that reform of policy, which has been agreed on by all parties, by financial arrangements which may prejudice these ratepayers, and which they may be unable to amend?—I do consider it unjust, because it will prevent those Catholics in Down and Antrim from having a voice in arrangements which may be binding upon them for years to come.

2806. For an indefinite number of years?—Yes.

2807. We have dealt with three public bodies, the Corporation of Belfast, and the grand juries of Antrim and Down; how as to the fourth body the governors; I believe the majority of them are opposed to this scheme?—I believe they are.

2808. Do you say that the reasonable mode would be to allow that second asylum at Holywell to be erected, as it is in fact being erected, as an additional asylum for the Belfast district, to act upon the advice of the grand jury and the governors, and to allow the system of combined management a fair trial until the ratepayers by the establishment of representative government are able to take such measures as practical

Mr. Sexton—continued.

experience of combined management may suggest?—I believe that that would be a fair and just treatment of the question.

2809. You are the corresponding manager of the female Catholic industrial school at Belfast, are you not?—I am.

2810. Your functions as manager are gratuitously discharged, I believe?—They are.

2811. Are you also a member of the committee of the male Catholic industrial school at Belfast?—I am, and have been for 20 years.

2812. So that you are in a position to give evidence as to both those institutions?—I am.

2813. The certified number of children in the two Catholic schools was 260, was it not?—It was.

2814. And in the four Protestant schools at Belfast 510?—Yes; 510 is the number certified for.

2815. Do you attach great importance to the maintenance in an efficient condition of those and other industrial schools in Ireland?—I do, because of the good they have done in Ireland.

2816. What effect have they produced, especially in regard to juvenile crime, during the 22 years that the system has been in operation?—The official reports of last year of the inspectors of industrial schools show that juvenile convictions have diminished by 50 per cent. within the last 20 years.

2817. Will you give the figures?—In 1870 the convictions were 1,008; in 1890 they had fallen to 452, which is a drop of more than 50 per cent. of the convictions of juveniles for crime. Those are children under 16 years of age; but principally under 10 years of age.

2818. The system has also had a beneficial effect in regard to reformatories, has it not?—It has; the reports speak of that also, and they tell that between 1880 and the present year the number has fallen from 1,160 to 744, which is a diminution of something like 35 per cent. in 10 years; and those reformatory schools have been closed entirely within that period, and one or two others will also be closed.

2819. So that the commitments of juveniles to reformatories in Ireland have fallen one-third in 10 years?—They have.

2820. Do you attribute that to the salutary action of the industrial schools in checking the tendency of juveniles to crime?—I attribute it to children being sent to industrial schools before they have fallen into crime.

2821. The system is worked, is it not, under the supervision and administration of the grand juries of Antrim and Down as well as to give no cause whatever of complaint to any interest?—No, we have no cause to complain of the treatment received in those two counties.

2822. And you urge the Committee, having regard to the local circumstances and experience of Belfast, not hastily to change a system which has worked well by making what may be a rash experiment?—Yes, we are most anxious to be allowed to conduct our schools as they have been going on for years past in connection with those grand juries.

2823. Do you say, from your practical knowledge of the law in regard to the administration of the industrial schools, that if the town council

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Mr. Sexton—continued.

council of Belfast obtained the power which they now seek, they would be in a position to deal with these schools according to their pleasure?—They would have full power to deal with their contribution towards these schools as they think fit.

2824. Will you state precisely to the Committee, upon the basis of your experience, what are the several methods by which the council, if they so chose, could prejudice your schools or prevent them from continuing in existence?—First of all, the council could refuse any contribution whatever. Secondly, they might contribute less than what the grand jury at present contributes, which is 2 s. 5 d. a week.

2825. The grand jury contributes at the highest rate?—It does.

2826. And that contribution might be reduced to any rate whatever?—It might be reduced to anything they might think fit. Thirdly, they might contribute less to us than they would contribute to other schools.

Mr. T. W. Russell.] Less to Roman Catholic than to Protestant schools?

Mr. Sexton.

2827. If you put it in that way, yes. (To the Witness.) They might, if they chose, make a differential rate in favour of Protestant as against Catholic schools?—Yes. Another way is that they might contribute the 2 s. 5 d. or a lesser sum to only a fixed number of children. For instance, we have 260 children at present, and we are applying and expect to receive an addition to our certificate from the Government.

2828. By way of illustration, might they not say that the Protestants of Belfast, being three times as numerous as the Catholics, the Protestant children in the whole of their schools being 516, "We will only contribute in future to one-third of that number of Catholic children from Belfast;" that is to say, 170, reducing your number by 90?—They might.

2829. Might they not also prefer outside schools at lower rates?—They might, and now the grand juries of Down and Antrim do give only 2 s. to some few schools outside Belfast.

2830. And they give you a higher rate?—Yes, they give the Belfast schools a higher rate; they pay all the six schools alike.

2831. Of course the corporation would have absolute power to make an agreement at any time with the managers of any one of the 70 industrial schools which are scattered all over Ireland to your prejudice?—They would.

2832. And, in many cases of rural institutions, the children can be maintained at a cheaper rate than it would be possible for you to maintain them at?—That is so, because the schools being in Belfast, and we trying to give the children trades to suit them for Belfast life, our expenditure is larger than it would be in the county schools.

2833. It is the fact, I believe, that the Catholic schools in Belfast depend, I will not say for their prosperity, but for their existence, upon the committal of practically the whole number of the children committed locally to the local schools?—For their efficiency they cer-

Mr. Sexton—continued.

tainly depend upon these contributions being kept up, because our expenditure on buildings, and other things fitting our schools for this number, has been made upon the understanding that those contributions would remain at least at their present standard.

2834. You have incurred liabilities which you would not and could not have incurred if you had anticipated this change?—We would not have incurred them if we had anticipated any change.

2835. Will you inform the Committee what is the total number of children in your school, and the total number committed to it from Belfast?—At the present time in the female industrial school, 127 of the children were committed in Belfast, 10 in the county Antrim, six in the county Down, and one child in Dublin, making a total in our school at the present moment of 144 children.

2836. But 127 of those children come from Belfast?—That is so.

2837. You have said that it is evident that if the town council adopt any such course as making the contribution to the schools proportionate to the respective populations of Catholics and the Protestants, your school would be destroyed?—Practically it would be destroyed.

2838. Do you believe that there is such connection and sympathy between the town council and the local bench as would render it practically certain that the local bench would support and carry out any policy upon which the town council determined with regard to these schools?—I believe the view of the town council would be carried out very largely upon the local bench.

2839. Will you indicate to the Committee how the magistrates could act in that sense if they were so disposed?—The magistrates could act in this way, by refusing to commit at all to the Belfast schools.

2840. How could they refuse to commit at all?—By making difficulties with regard to the evidence given, by being dissatisfied with the evidence that we produce with regard to the children brought forward for committal.

2841. The discretionary power allowed to the justices is so large that they would be very free to commit or to refuse to commit?—They would, and practically speaking they often do refuse to commit children brought before them.

2842. If the council had made arrangements with other schools at 2 s. or 1 s. 6 d. a week, the members of the corporation, the 25 or 26 magistrates who are or have been members of the town council, would effectuate that policy by committing the children to the schools outside Belfast, and not to local schools?—They would.

2843. So many questions have been asked as to instances of unfair treatment on the part of the local justices, that I think you would suggest to the Committee that your case rests, not upon concrete instances of unfair treatment, though I believe they might be alleged, but upon the consideration that if the town council are brought into a new position in regard to these schools

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schools which they take cognisance of, as regards each individual school and each individual grant, the justices would also be placed in a new position and placed under a new temptation to exercise that prejudice?—That is quite true; and as an illustration of our practical want of confidence in the administration of the bench with regard to these cases, for years past we have been obliged to pay an agent who attends at the police courts when those cases are heard, in order to watch our interests.

2844. You have felt that to be necessary?—We have felt it to be absolutely necessary.

Mr. T. W. Russell.

2845. What kind of agent is he?—A layman.

Chairman.

2846. Is that in all cases where juveniles are being brought up?—Yes, in order that they may not be committed to other schools than Catholic schools.

Mr. Hines.

2847. This is before the local bench?—Yes, it is before the local bench.

Mr. T. W. Russell.

2848. Has this agent any *locus standi* in the court?—No, he has no *locus standi*; he is simply paid by us to attend there and hear the evidence given.

2849. To watch the proceedings?—Yes.

Mr. Sexton.

2850. He listens to the evidence, and if necessary offers evidence in your interest?—Yes, and makes inquiries outside afterwards.

2851. And if it is necessary to make any formal representation to the bench, he engages a solicitor?—He does.

2852. Dublin is the only other town in Ireland which in importance and population compares at all with Belfast, is it not?—It is.

2853. In Dublin these commitments are made by the police magistrates only, are they not?—That is so.

2854. The local justices exercise no power there on the bench at all?—They do not, I believe.

2855. In asking then that these commitments should be made in Belfast by the police magistrates, instead of suggesting any novelty for Belfast, you suggest that Belfast should conform to the system which is pursued, and satisfactorily, in Dublin, and to the general system of magisterial administration in the great towns of Great Britain?—Yes. I ask that whatever the town council does their powers should be such as the Dublin powers are. We ask, with regard to the commitment of these children, that they should be committed by the police magistrates.

2856. I suppose you are aware that in Dublin, Limerick, and Cork, these cities, in regard to which Belfast now asks to be put in the same position, are counties of cities in which the corporation exercise the fiscal powers of grand juries?—I believe they are.

Mr. Sexton—continued.

2857. But from some cause or another the Corporation of Belfast have never asked to exercise the fiscal powers of the grand jury?—I understand that they have not.

2858. Even if this Bill should pass, the Corporation of Belfast would still maintain fiscal relations with the counties of Antrim and Down?—They will, more or less.

2859. So that it is by their own choice that the Corporation of Belfast have refrained from seeking what Parliament would, no doubt, readily confer upon them, viz., the fiscal functions of a grand jury; the inequality is by their own choice?—I believe it is.

2860. The Committee have been asked to believe that the interests of Catholics in Belfast with regard to industrial schools are efficiently protected by the presence of nine Catholic justices upon the local bench of 67; I believe that even of those nine there are some who are disabled by age and some who are habitually absent?—Yes; some are disabled by age.

2861. How many of the nine are really available?—I do not think that more than half of the nine are available, that is to say about five.

Mr. T. W. Russell.

2862. What is the total number of the magistrates of the borough of Belfast?—Sixty-seven, I think; 58 Protestants and nine Catholics.

Mr. Sexton.

2863. Have the Belfast justices, by an arrangement of their own, established a rota by which the attendance of each individual magistrate is limited to one day in the week?—They have.

2864. Do you produce the official record of the rota?—I do (*producing the same*).

2865. How many justices are appointed by the rota to attend upon a Monday?—There are 10.

2866. How many of those are Catholic?—Two.

2867. On Tuesday, how many?—Ten, of whom two are Catholics.

Mr. T. W. Russell.

2868. That is in both courts?—That is in both courts; ten altogether.

Mr. Sexton.

2869. How many on Wednesday?—Fourteen; of whom three are Catholics.

2870. How many on Thursday?—No Catholics; ten appointed.

2871. How many on Friday?—One nominal Catholic; ten appointed.

Mr. T. W. Russell.

2872. What do you call a nominal Catholic?—A Catholic who has that name, but who does not take any interest in Catholic matters; not a representative Catholic.

Mr. Sexton.

2873. We have heard, and I believe it is not questioned, that the industrial school cases in Belfast

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Belfast are only heard upon a Saturday, never upon any other day of the week?—That is the custom.

2874. How is the constitution of the bench fixed by the rota for a Saturday?—We have eight magistrates fixed for Saturday, and of those one is a Catholic, Dr. Harkin. I should state with regard to that, that he is one of the two medical attendants of the police force in Belfast drawing a Government salary, and does not sit on the bench at all, so far as I know. So that on Saturday we have no Catholic on the rota, properly speaking, who does attend.

2875. Does this rota operate as a mandatory arrangement?—I believe it is observed as a guide by the magistrates with regard to this matter.

2876. It is, as a matter of fact, observed?—I believe it is.

2877. So that after all we have heard about nine Catholic justices for the protection of Catholic interests in regard to industrial schools, it comes to this: that upon the only day of the week upon which industrial school cases are ever heard the local bench is wholly Protestant, owing to the fact that the only Catholic put upon the rota for that day is a salaried public official who does not attend?—That is so.

2878. Therefore, for practical purposes, so far as the industrial schools are concerned, the bench might as well be exclusively Protestant as the corporation?—On Saturday, with regard to our children, it is Protestant.

2879. With regard to the industrial schools, no cases are heard on any other day?—No.

2880. The town clerk deposed, when he was questioned about the religion of the council and the employees of the corporation, that he did not know; that it was enough for him to know his own religion; but did he, in fact, know the religion some time ago when he made a return to the order of the Royal Commission on the subject?—He did, because he made a return to the Riots Commission, in 1887, of all the paid officials, and gave their religion.

2881. You have no doubt that the town clerk's memory is good enough to remind him of what he testified five years ago?—It is printed here in the Blue Books.

2882. He gave, in obedience to the order of the Royal Commission, a return showing the religious creeds of the members of the council who were justices of the peace, and also of the officials in the employment of the council, did he not?—He did.

2883. Did that return show that 17 members of the town council were also borough justices?—He did.

2884. It also gave the religion of the members of the town council, and showed them to be exclusively Protestant, did it not?—I do not know that it did that.

2885. At any rate, it gives the religion and salaries of 90 of the principal officials?—It does.

2886. Can you state the effect of that return which is appended to the Report of the Royal

Mr. Sexton—continued.

Commission on the Belfast Riots; does that show that the salaries paid to those 90 officials reached 14,000 *l.* a year?—Yes. They reached 14,000 *l.* a year, exclusive of one-and-a-half per cent. paid to the rate collectors.

2887. What officials of the corporation did the return comprise?—It comprised the town clerk's office, the accountant's office, the cashier's office, the rate collector's, the fire brigade, the surveyor's office and department, the sanitary staff, the gasworks, the gas offices and markets, the car inspectors and the street inspectors. In that total of 90 persons there are five Catholics, whose total salaries amount to 397 *l.* a year out of above 14,000 *l.*, because the rate collectors are not included in this return.

2888. Will you state the salaries of the five Catholics, so that we may see what rank they held?—Of the five Catholics, one received 130 *l.*; that is the highest; one received 117 *l.*; one received 62 *l.*; one received 44 *l.*; and another received 44 *l.*, making a total of 397 *l.* One is engaged in the markets as market inspector, William Davey, and he receives 117 *l.*; James Donnelly, the superintendent of works, receives 130 *l.*; Henry Macmillan, an outside foreman, receives 62 *l.*; George White, an outside foreman, receives 44 *l.*; and Ralph Lavery, an outside foreman, receives 44 *l.* The other salaries are also given in this return.

2889. Then, the average pay received by those five Catholics, amongst 90 officials, who between them received 14,000 *l.* a year, is about 30 *s.* a week?—Yes, about 80 *l.* a year, or 30 *s.* a week.

2890. We have had a return put in evidence here which shows that only two Catholics hold posts of any importance?—They are the same two.

2891. Are they two old men?—They are both old men. Donnelly, I believe, got into the town council employment when a boy, and has held it since. Davey, some 20 or 25 years ago, was appointed in connection with the inspection of food or markets, in defence, I believe, to the expressed wish of a large number of Catholic butchers.

2892. So that in the present generation it may be said that no Catholic has been appointed to any salaried office by the Corporation?—I do not know of any for the last 20 years.

2893. Do you put that forward as showing the absurdity of the pretence that the exclusive or intolerant treatment of Catholics is due in any respect to politics or Home Rule, which is comparatively recent?—I do say things were just as bad before Home Rule was heard of as they are to-day.

2894. Is it an exclusion of creed, without regard to politics?—I believe it is an exclusion of creed without regard to politics, because I do not care what Catholic might apply; so long as he is a Catholic, I do not believe he would get employment in any office under the corporation.

2895. During your 25 years in Belfast, out of a community of 70,000 Catholics, who pay their

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share of the rates, have the corporation, to your knowledge, appointed even a boy clerk, or an office messenger?—I never knew them to appoint a boy clerk, or even an office messenger, in connection with any office of theirs.

2896. Do you believe that a Catholic, no matter what might be his politics, would now obtain a post of any importance in the service of the corporation?—I do not know of their having given employment to a Catholic, whether a Conservative or a Nationalist, in their offices.

2897. An effort has been made by a system of interrogation to induce the Committee to believe that this phenomenal condition of the Catholics in Belfast is due to some incapacity of their own, to some want of enterprise, or of the quality which entitles men to success: would you say that the same system of exclusion, to which you have now testified in regard to the corporation, generally prevails in regard to all the public boards and employments in Belfast?—It is quite true with regard to other boards that the same spirit of exclusive treatment prevails; and I will give you the names of the boards. There is the Harbour Board, the members of which are exclusively non-Catholic, and the employés, with the exception of dock labourers or out-door labourers, are non-Catholic.

2898. Going back for an instant to the return made by the town clerk to the Royal Commission, is it a fact that they not only told the religion but the special sect, and even specified those who were not connected with any denomination; so that he knows not only what religion a man is but whether he has none?—He does, because I see here that he makes returns of the religious, Protestant, Presbyterian, Methodist, Unitarian, Evangelical Unionist, Christian, and some not connected with any denomination.

2899. I pass from that. Stating generally that this system of exclusion and ostracism prevails in Belfast in regard to Catholics, I particularly ask you to refer to the case of the workhouse; what is the total number of inmates of the workhouse?—It is some 2,600.

2900. Can you give the exact figure?—In September the total was 2,642 inmates.

2901. How many of those inmates were Catholics?—One thousand three hundred and twenty-six.

2902. More than half?—Yes, more than half.

2903. We have it in evidence, and can you confirm it, that in this great institution with 2,642 inmates last September, 1,326 being Catholics, of the whole staff of officials only two teachers and one nurse are Catholics?—I can. There are two Catholic assistant teachers, one male and one female, and I believe that the governing board of the workhouse system requires that there should be a Catholic assistant teacher on each of the two schools.

2904. The board have no option in regard to that?—I believe they have not; I believe they are bound to appoint those assistant teachers. There is one Catholic nurse, and she was appointed many years ago at a time when there

Mr. Sexton—continued.

were some elected guardians and some Catholic *ex-officio* guardians. At the present time out of 94 paid officials there are only three Catholics: two assistant teachers and one nurse.

2905. The Catholic nurse is the midwife, is she not?—She is, I believe.

2906. Limited to one department?—Yes, to her own department.

2907. In fact there is no Catholic attendant of any sort or kind in connection with the 1,326 Catholic inmates of that place?—None except this one nurse.

Chairman.

2908. Except the midwife?—Yes.

Mr. Sexton.

2909. Therefore you confirm the evidence of the bishop that Catholic inmates, both the sane and the insane, have died without the last consolations and rites of their religion, owing to the fact that no attendant of their faith who had sympathy with them or knowledge of the wants and practices of their religion was to be found in the wards?—That is quite true.

2910. The guardians were lately asked to appoint a second Catholic nurse, and they refused?—They did.

2911. And upon an earnest request renewed by the Catholic chaplain did they carry this resolution, I believe unanimously: "That the Roman Catholic chaplain be informed, in reply to his letter of the 3rd inst. (May) respecting the appointment of Roman Catholic nurses for the purpose of attending to the requirements of Roman Catholic inmates, that the board see no reason for altering the decision already arrived at in this matter; the decision was to refuse to appoint a second Catholic nurse?—It was.

2912. Do you represent to the Committee when they are told that Catholics failed to work themselves to the top and to the front, that it is a hard struggle for them to live in Belfast?—I do represent that. First of all I say that many of them have risen, and risen under very great difficulties too, and great disadvantages; and I say also that many of them exist under terrible trials and difficulties, owing to this exclusive treatment in the corporate bodies, which extends even beyond the corporate bodies as I could illustrate in this instance. The linen trade is a big trade in Belfast. Many of the Catholics are employed in the mills. There are two classes of children employed, called *cagers* and *duffers*; little children, boys and girls, who assist the spinners. These children are employed up to 14 or 15 years of age in those capacities; but the boys must then cease to remain as *duffers* or *cagers*, and must either be apprenticed to trades in connection with the mill or leave the mill altogether. To my knowledge, Catholic boys as a rule get no opportunity in these mills of learning trades, but have to fall out and become day labourers in Belfast, or cross to England or emigrate to America. That is a universal practice in the Belfast spinning mills, with perhaps some two or three exceptions.

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2913. The consequence of that system is that when the boys come to the age which you have mentioned they must either be apprenticed or leave the mill, and the refusal to take them as apprentices compels the family to emigrate?—Frequently. In order to keep the home together the families prefer to emigrate, so that the boys may get employment or may learn trades elsewhere.

2914. I believe the employers would be willing to retain the girls in the mill as spinners?—They require to do so in order to keep their mills running.

2915. They do the hardest work and they get the lowest pay?—It is perhaps the hardest work that females have to do, and it is the lowest pay.

2916. The families when they find that they cannot have their boys employed, take the girls away with them as well as the boys, do they not?—The best of the families do.

2917. Is there consequently a difficulty in procuring girl spinners in Belfast?—To a large extent that is so.

2918. Do you say generally that it is hard to find a Catholic employed in the offices of merchants and manufacturers in Belfast or in the linen ware rooms, if the higher class?—It is almost impossible to find a Catholic in those offices.

2919. There are exceptions, but that is the general rule?—The are a few exceptions, but I think they are very few.

2920. Do you submit to the Committee that in this social system the wonder is, not that more Catholics have not worked themselves to the front or to the top, but that so many have?—I think it is wonderful, considering the opposition they have to meet with, that they have succeeded so well.

2921. Has great difficulty been found from time to time in procuring sites for Catholic churches and schools in Belfast?—Considerable difficulty has been found from time to time; in fact, we have practical experience of it. We applied for a site for the Catholic church and schools, and they deprived us of the opportunity of obtaining it.

Chairman.

2922. Who is responsible for that; who is the ground landlord?—I cannot speak of any particular person; I speak generally.

2923. Are they all Protestant landlords; is there no Roman Catholic landlord?—There are some few Catholics who have ground, but I speak of cases where we were dealing with regard to sites for churches and schools where they were not Catholic landlords.

Mr. T. W. Russell.

2924. Is it the Marquis of Donegal?—No.

Mr. Sexton.

2925. With regard to the corporation and

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their general spirit towards the Catholic community, is it the fact that when Mr. De Cobein was borough treasurer and an officer in their employment, they allowed him in 1886 or some years ago, to make a public speech in which he denounced the Catholic religion as a system of sensualism, superstition, and sin?—Yes; it is true that that was reported of him in a speech made by him at the opening of the Orange Hall.

2926. You were asked for a specific instance of intolerance upon the part of the corporation; would you tell the Committee what occurred in the case of the borough cemetery?—Some years ago the town council obtained a site for a borough cemetery. This was divided into three portions, one for the Protestant Church of Ireland, one for others, and one for Roman Catholics. The Bishop at the time, Doctor Dorian, the Catholic Bishop, asked the corporation to give him a lien upon his portion of it, the Roman Catholic portion of it, so that he might be able to consecrate it; this they refused. He applied to the Privy Council in Dublin, because they were about to close the then existing Catholic cemetery, and he would be compelled to bury in this ground allotted to him by the town council without consecration at all, if he did not get some temporary relief from the Privy Council. The town council, I believe, alleged that they had no power to give him what he wanted. The Privy Council, I understand, informed him that the town council could give him, by simply passing a resolution, the necessary authority that he required in order to consecrate that ground.

2927. And that if they passed that resolution the Privy Council would do whatever else was necessary?—Yes; the town council refused to make any concession in this matter, and the bishop was forced then to go and buy a cemetery for the Catholics outside the borough, at a cost of some 5,000 £, and the ground allotted by the town council for Catholic purposes was allowed to remain for years lying waste.

2928. That is the part of the public cemetery belonging to the Catholics?—Yes.

Chairman.

2929. Did this happen some time ago?—Yes; that is to say, the purchase took place about 20 years ago.

2930. When did the refusal of the town council to allow the consecration take place?—About 20 years ago I think, 1869 or 1870; but Mr. Black can tell you the date.

Mr. Sexton.

2931. How long did what I may call the Catholic ground in the public cemetery lie idle?—Some 12 or 14 years.

2932. The Catholics being buried in the cemetery provided by public funds?—Yes, and contributing to the burial rates of the corporation too.

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2933. What

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Mr. Hincks.

2933. What has happened in the 20 years?—The ground allotted by the town council for Catholic purposes laid waste; we could not use it, not being consecrated.

2934. You go back to 20 years; what has been done with the remaining six years?—The town council has an arrangement with the Roman Catholic Bishop; they gave him a consideration so that they might use it for their own purposes.

2935. Has it been consecrated now?—No, it has gone back into the town council's hands, they paying the bishop a consideration.

Chairman.

2936. This land was bought out of their own money, and the corporation have allowed a consideration for it?—No.

Mr. Sexton.

2937. The Catholics were compensated because they were prevented from using the ground. The summing up of it is that the corporation maintained their refusal to allow the conditions upon which alone the Catholics, according to the usages of their church, could use the land in the public cemetery?—Yes.

2938. Whilst with regard to the Jews of Belfast they allowed the Jews to wall in their part of the cemetery and to put a locked gate upon it?—Yes, that is so.

2939. They privately use it as their cemetery?—Yes.

2940. You do not complain; you think it proper that the corporation should have conceded to the Jews the rights of usages of their church in the cemetery?—I do not complain of it at all.

2941. But you complain of the want of a similar toleration with regard to the Catholics?—I do.

2942. Will you state briefly your reasons why the Catholics of Belfast have not, and cannot, have confidence in this town council as it has acted and as it is constituted; you do not complain of it being exclusively a Protestant body?—I do not.

2943. But you say the members of the town council in the political association which chooses candidates, take care that Catholics are not allowed to be put forward?—I say that a Catholic has no chance whatever of being elected upon the town council at the present moment in Belfast.

2944. Apart from that, is it not the fact that the members of the town council are members of the association which puts candidates forward?—Yes, they are.

2945. And secures that only Protestant candidates should be put forward?—Yes, they support to the utmost their own nominees.

Mr. T. W. Russell.

2946. Do you say that that is true generally of the corporation?—It is.

Mr. Sexton.

2947. And secondly, they have never taken any step in any of their numerous private Bills in the last 12 years to carry out the suggestion of the municipal commission by re-distributing the wards with fair representation?—They have not; they have opposed every effort and every suggestion.

2948. They have opposed the two attempts made in the House of Commons during the last seven years to carry out that recommendation?—Yes.

2949. You also refer to the fact that owing to their partisan conduct in the case of disturbance between Protestants and Catholics, the local force which was under their control was abolished and the constabulary was brought in?—That was so; they were abolished then.

2950. Is your mind also affected by the circumstance that witnesses coming here upon the part of the corporation have presumed to state that they consider the treatment of the Catholics fair, and they are not disposed to give any guarantees in future?—Yes. After knowing our objections and after hearing them they persist in stating that we are treated justly, and they will not make any concession whatever.

2951. Does that affect your mind and lead you to beg the Committee to give some special protection?—It does; and I trust that it will also induce them to give it.

2952. Looking at the question by the light of experience as to which you have testified, they ask to be put upon the same level as Cork and Dublin in regard to the administration of the powers affecting the interests of Catholics. Now in Dublin is it the fact that the Protestants are as numerously represented upon the council as they are in the population?—They bear a fair proportion to it on the council.

2953. And out of 8,400 £ paid to the highest and most important class of officials, 4,400 £ is paid to Catholics and 4,000 £ to Protestants in that Catholic city?—Twelve out of 60 councillors are Protestants.

2954. And the Protestant officials receive substantially half of the best class of salaries?—They do.

2955. In Cork I believe the case is still more striking, a Catholic city and a Catholic corporation?—It is more striking, because the Catholics, I believe, as appears in the return, receive only some 600 £ out of a total of 2,400 £, 1,800 £ going to Protestant officials in Cork.

2956. And you submit to the Committee that these cases will, you hope, lead them in their impartiality to distinguish between the cases of Dublin and Cork and the case of Belfast?—I hope so most confidently.

2957. I think there is only one other point that I have to ask questions upon; the Inspector of Lunacy, Dr. O'Farrell, suggested that the divided districts would form good units of population; have you examined the statistics of the existing districts in Ireland?—Yes; I believe there are others larger in which there is no question of division.

2958. The

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[Continued.]

Mr. Sexton—continued.

2958. The undivided district of Antrim including Belfast contains a population, I believe, of 497,000?—Yes, it does.

2959. The existing district of the county and city of Cork, including the two Ridings which have separate grand jury powers, contains a population of 436,000?—Yes.

2960. The existing district of Dublin which has three counties, one city, and one town, contains a population of 561,000, much larger than the undivided districts of Antrim or Belfast?—Yes.

2961. You are aware that the Lord Lieutenant has legal power at present without any legislation to subdivide the district of Cork and the district of Dublin, are you not?—I believe he has.

2962. He has not taken any step in that direction, has he?—No; I have not heard that he has.

2963. Or manifested any disposition to do it?—Or manifested any disposition to do it.

2964. With regard to the position of Catholics in Belfast, do you confirm the general evidence as to the existence of a considerable number of employers of labour who are Catholics and important traders?—There is a considerable number, bearing in mind their relative proportion to the total of the city.

2965. And there are 50 or 60 Catholic professional men in the city?—Yes, there are.

Mr. T. W. Russell.

2966. They are largely solicitors, are they not?—There are some 22 or 23 of them solicitors.

2967. We had it from a previous witness (I have no personal knowledge of it) that there were 30 practising solicitors and 10 doctors, I think?—There are not so many as 30 solicitors; I think there are some three or four barristers.

2968. But you would not suggest that the solicitors should be made justices, would you?—No.

Mr. Sexton.

2969. There are solicitors in the corporation, are there not?—Yes, there are.

2970. Do you say that the only chance afforded by the educational policy of the State to the Catholics of Belfast to show their ability and to receive a profit by higher education, has been the intermediate system?—Yes, it has given an opportunity of showing what the feeling has been with regard to education in the middle-class schools in Ireland.

2971. And the results in Belfast in connection with St. Malachy's College, the Christian Brothers' Schools, and the Convent Schools, have been very satisfactory?—Yes, some of their pupils taking the highest places in the first grades.

2972. Do you now concentrate your testimony in this, that notwithstanding the peculiar difficulties of the social atmosphere and the prejudices the Catholics of Belfast have to contend with, by the advancement which they have secured and

Mr. Sexton—continued.

by the proofs which they have given of their ability to receive and profit by the higher education, they have shown themselves to be a community of a progressive and cultivated spirit, qualified and entitled to take their proportionate share in the Government and public life of the city; and do you respectfully urge the Committee to take measures to enable them to do so?—Yes, I do, as emphatically as I possibly can.

Examined by Mr. J. D. Fitzgerald.

2973. I understand, as to the cemetery, that it was provided under one of the Public Catholic Acts relating to Ireland?—I presume so.

2974. And then, under an Order made by the Lord Lieutenant in Council, was a certain portion appropriated to the Protestants and a certain portion to the Catholics?—Yes.

2975. And up to that time you had nothing to complain of, had you?—In what respect?

2976. In what was being done with regard to the cemetery?—Which cemetery?

2977. I speak of the cemetery to which your evidence was directed, which was provided by the Town Council, and a certain portion set apart for Catholic burials?—Yes.

2978. Up to that time which I speak of, when, by the sanction of the Lord Lieutenant it had been divided in that way, there was nothing to complain of?—It was not in existence before then.

2979. You do not follow me. Coming a little further, the first dispute that arose between the Bishop and the corporation, as I am instructed, was this; tell me if I am correctly instructed: that the Bishop wished the corporation to give him a power of veto upon the burial of any person within the Catholic portion of the cemetery?—The state of things was exactly this: The Catholics of Belfast had a burying ground of their own, Friars' Bush; and the town council in procuring this new cemetery sought power to close the burying ground of Friars' Bush; the Bishop consented to it as he was bound to do, and as to the fresh portion allotted him in the Borough Cemetery he desired that he should have such a lien on it as that he might, in accordance with the rules of his church, consecrate it for Catholic burials to the exclusion of those who do not die in communion with the Catholic church.

2980. The Bishop refused to consecrate the ground unless he was given an absolute veto over the burying ground?—It comes to the same thing.

2981. He was to be in a position to exclude from burial there any Catholic who had not in his opinion died in communion with the church?—That was his position.

2982. An appeal was taken to the Privy Council, was it not?—I believe so.

2983. And the Privy Council confirmed the Act of the town council?—I am told, and I believe it is true, that the Privy Council stated that if the Town Council would pass a resolution they would confirm the resolution and give him the power he sought.

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2984. You

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Continued.

Mr. J. D. Fitzgerald—continued.

2984. You are not speaking of things within your own knowledge?—I am speaking of things that I heard.

2985. What happened after that was this: Negotiations took place between the Corporation of Belfast and the Catholic Bishop?—But after an interval of time; 12 or 14 years.

2986. Very possibly, and accordingly the Corporation of Belfast promoted a Bill by which they were enabled to pay 4,000 *l.* towards this cemetery, the Catholics giving up their rights in the existing town cemetery?—They did for this reason—

2987. First, was it not the fact?—Yes.

2988. And it was carried out by Act of Parliament?—Yes; but I wish to explain under what conditions it was carried out. The ground was lying waste and could not be used by the Catholics, so that any concession made by the town council even to the extent of 4,000 *l.* was so much gain.

2989. You were assenting parties to the arrangement?—Yes.

Mr. Sexton.

2990. You had to choose; you could not have the ground anyhow; you had to choose between getting nothing and getting 4,000 *l.*?—Yes, the choice was ours, and we took the 4,000 *l.*

Mr. J. D. Fitzgerald.

2991. Do you know whether any such condition as was put forward by the Catholic Bishop of Belfast is insisted upon by any Catholic Bishop in this country?—In Liverpool it was done.

2992. Do you know that of your own knowledge?—Yes.

Mr. T. W. Russell.

2993. That is to say, a veto upon burial?—No, not a veto upon burial in that general sense, but in the sense that I explained. If a Roman Catholic Bishop consecrates a cemetery he is bound by the laws of his church to prevent desecration, and desecration would be in his eyes the burial there of one who had not died in communion with the Catholic church.

Mr. Sexton.

2994. It is the universal law of the church?—I believe he has no personal power.

Mr. T. W. Russell.

2995. How does that work out in the case of burial grounds in the North of Ireland, where burial rights are common between Roman Catholics and Protestants?—You are speaking of ground that is not consecrated.

2996. No; consecrated by both Bishops?—The same ground?

2997. Yes?—I never heard of such a thing.

2998. The same churchyards?—It may be the same churchyard, but it could not be consecrated by both Bishops.

Mr. J. D. Fitzgerald.

2999. Take the Glasnevin Cemetery, near

Mr. J. D. Fitzgerald—continued.

Dublin, which is a Catholic cemetery where Protestants are buried?—Partly a Catholic cemetery and partly a Protestant cemetery.

3000. We know Mr. Parnell was buried there?—You say it is consecrated ground.

3001. Is it not?—It is not, and that makes all the difference in the world.

3002. Is it not consecrated ground?—It cannot be.

Mr. T. W. Russell.

3003. Are there not several Protestants buried near the O'Connell monument?—Yes.

3004. Sir John Grey was buried there?—Yes.

3005. Is not that consecrated ground?—No, it cannot be a Catholic cemetery in the sense in which I speak.

Mr. J. D. Fitzgerald.

3006. You must know this, that whether the Glasnevin Cemetery is consecrated or not it is a cemetery provided by the Catholics for Catholic purposes?—That was the original intention.

3007. And it is owned by a Catholic committee?—Yes, but that does not touch the question of which I speak. I am well aware that Catholics are buried in common with Protestants in the North of Ireland and elsewhere, but that has nothing to do with the question that I speak of. The Catholic Bishop wanted an exclusive Catholic cemetery, and that portion of the cemetery was allotted by the town council for Catholic purposes.

3008. Would it have been any real grievance to the Catholics of Belfast if the cemetery were in precisely the same position as the Catholic cemetery in Dublin?—They might have used it, but when there was a question of allotting a special plot of ground to the Catholics, to which they were entitled, they believed that they should get it altogether so far as the burials were concerned; but with regard to the administration of the funds the Bishop did not claim to have any control; the council could sell the graves, pay the employees and all.

3009. Now, coming to the guardians; the Belfast guardians are not all elected in Belfast, are they?—No, some in the suburbs.

3010. The majority are elected in districts in Antrim and Down?—No.

3011. Am I correct in the information given to me that there are 22 elected guardians; ten are elected in Belfast, two by each ward, and twelve by districts outside?—It may be true.

3012. The resolution has been read in which we have reference to the decision already given; whether you approve of the decision or not, was not the decision they have given and which we referred to, that they would appoint nurses on merits, and not go into any question as to their religious belief?—Yes, they gave that explanation, that a Turk, or Jew, or an Atheist might be a nurse there; they did not ask religion at all. Mr. Marden used the expression himself; the guardian proposing the resolution.

3013. At any rate it is an intelligible position whether you approve of it or not, that their officials

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officials were to be appointed on merits?—According to their saying, and according to the saying of the local board in Belfast, all the officials are appointed on merits, irrespective of religion, but as it happens, no Catholic is appointed.

3014. Did not they say they would adopt the recommendation of the medical man as to the nurses best qualified?—I do not question that they said it.

3015. And was not that part of the resolution?—The resolution has been read; it is not part of it. The original resolution I have not in my hand; I only had the last paper.

3016. One word about the Harbour Board; that is an elected body also?—Yes.

3017. It is elected by cumulative voting, is it not?—I believe it is.

Mr. Sexton.] It is an extremely limited franchise.

Mr. J. D. Fitzgerald.

3018. What is the franchise?—I think 50*l*.

3019. Twenty pounds rateable value, I am told. Can you give the Committee any instance where a Catholic applying to the Corporation for an appointment has been unfairly rejected?—I cannot give an instance of any Catholic applying at all; because the belief is that they would be only exposing themselves to insult.

3020. If they do not apply they cannot get the appointment. Now, coming to the case of the magistrates, do I understand you to say that the Catholics are not fairly represented on the bench of borough magistrates?—If you mean as to the proportionate number, I say they are not; if you mean as to their relative position, I say they hold as good a position as others.

3021. I do not ask anything about social position. I want to get this: do you say the Catholics who fairly ought to be on the borough bench have been excluded from it on account of their religion?—I say they are not upon it; and what other conclusion can you come to, than that they are not on it simply because they are Catholics?

3022. We have heard that the appointment of magistrates is with the Lord Lieutenant?—Yes.

3023. He is not controlled by the Corporation of Belfast?—I am told that the Town Council may make suggestions, and I do not suppose that the Lord Lieutenant will act upon his own initiative.

3024. It is not so long since Lord Aberdeen was Lord Lieutenant; was any representation made to Lord Aberdeen as to the Catholics of Belfast who were kept off the bench, and ought to be appointed?—I am satisfied that the town council made none.

3025. Did the Catholics?—No.

3026. At the time Lord Spencer was the Lord Lieutenant was any representation made that the Catholics were kept off the bench?—Not by the town council.

3027. Was any representation made to him by the Catholic Bishop, or any Catholic in Belfast?—I cannot say.

Mr. J. D. Fitzgerald—continued.

3028. Surely you admit that whatever you think the personal views of Lord Aberdeen and Lord Spencer may have been, perfect equality was observed between Catholics and Protestants?—Personally, I think they observed perfect equality.

3029. Do you suppose with regard to either of those two Lord Lieutenants, if a case of injustice as to Catholic magistrates had been brought under their notice it would not have been remedied?—It is not so easy to get things remedied at once by bringing them to notice.

3030. I have had this Return handed to me of the Catholic borough magistrates of Belfast; in the year 1891, that is last year, there were 12, and Mr. Kegan died during the year and Mr. Mulholland has ceased to reside in Belfast?—He is living in New York. Mr. Kegan lived in Switzerland.

3031. I will read the names, and just tell me if this is an accurate list: Mr. Hamill; Dr. Magee, Dr. Dempsey, Dr. Harbin, Dr. Murney, Dr. O'Malley, Mr. McCaffery, Mr. Close, Mr. Hughes, and Mr. Rose?—Yes, Mr. Rose, living in Dublin, Mr. Kegan, another Catholic magistrate, living in Switzerland, and Mr. Close, being confined to his bed, we had not more than four or five magistrates.

Sir Edward Harland.

3032. When the magistrates were created were they not living in Belfast?—I presume they were then living in connection with it.

3033. Living in Belfast?—Yes.

Mr. J. D. Fitzgerald.

3034. It was not in connection with the action of the Corporation?—I could not say that, because the Corporation acts are far reaching.

3035. In addition to the borough magistrates there are two stipendiary magistrates?—Yes.

3036. And one or other of the stipendiaries is almost always present?—Yes.

3037. One of the stipendiaries is a Catholic?—Yes.

3038. You spoke about the rota of attendance of the magistrates; you know the rota is merely arranged for the convenience of the magistrates themselves and for the purpose of ensuring an attendance every day?—I presume that is the object.

3039. Whether a magistrate is upon the rota or not, he can attend any day of the week?—It is perfectly open to him; he has power to attend, but it is not the custom, because a magistrate who would go and attend out of his own day would bring odium upon himself; he would be accused of going there for special purposes.

3040. Do you think if borough magistrates were voting unfairly towards Roman Catholic children the Roman Catholic magistrates would not attend?—I do believe indeed that they would not single themselves out and make themselves the butt of observations that would naturally follow if they went out of their own day and took their place upon the bench on Saturday.

3041. As to industrial schools, you mentioned five ways in which you say the Corporation

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might take action to the injury of Catholic industrial schools?—Yes.

3042. I put it to you, if the Corporation acted in any of those five ways it would be a most unjust proceeding upon their part?—It would be an unfair thing.

3043. An unfair thing which no fair-minded man, be he Catholic or Protestant, could possibly approve?—I do not believe he ought to approve of it.

3044. He could not if he was a fair-minded man?—I agree with you.

3045. And unless the majority of the Corporation of Belfast are composed of men entirely deficient in fairness nothing of the kind could happen?—Fairness, from their point of view; I say from their point of view; no doubt they would treat us fairly from their point of view; my belief is they would not treat us fairly.

3046. Would it be fairness from any point of view to pay less for a Catholic child than for a Protestant child?—I may explain that the Catholics are only one-third or one-fourth of the total population, and they may say we will only pay for the proportionate number of industrial school cases for you.

3047. Do you believe that that would commend itself to any fair-minded men, that the question of religion should determine whether a boy should be taken off the books or not?—They are not fair-minded men with regard to us.

3048. So that unless the Corporation of Belfast be composed of a majority of not fair-minded men, these things could happen?—They are not fair-minded as far as our interests are concerned.

3049. I will not ask you any question about the lunatic asylum; you have no connection with it?—No.

3050. You never considered the question till this Bill was brought up?—No.

Mr. T. W. Russell.

3051. In reply to Mr. Sexton, you expressed some anxiety about the Local Government Bill, and you said you thought the Catholics in Antrim and Down would have a representation under that Bill that they have not now?—Yes; I believe they would.

3052. You are aware that your representative has given notice for the rejection of that Bill?—I am not aware that he has done so.

Mr. Sexton.] Certainly, a motion of opposition to the second reading of the Bill is the way to secure amendment in Committee.

Mr. T. W. Russell.

3053. As regards this Bill that you affect great anxiety about, as bringing relief to the Catholics of Antrim and Down, Mr. Sexton has given notice to move that it be read a second time this day six months; perhaps you do not know it?—I am not aware of it.

3054. Will you tell me again if you please what is the Catholic population of the county of Antrim outside the area of Belfast?—Thirty-six thousand, if you take the two numbers together.

3055. One step at a time; 36,000 Catholics outside the Belfast area in County Antrim; the total population of Antrim outside the area of

Mr. T. W. Russell—continued.

Belfast is how much?—Two hundred and forty thousand nine hundred.

3056. Of the 240,900, 36,000 are Catholics?—Yes.

3057. So that they are in quite as bad a position as Catholics inside the Belfast area, and rather worse?—Yes, they are a little worse.

3058. You have 70,000 out of 250,000 in Belfast?—Yes.

3059. You have 36,000 out of 240,000 in the Antrim area?—Yes.

3060. And then in the County of Down, what is the population outside the Belfast area?—Two hundred and eight thousand eight hundred and eighty-six.

3061. What is the Catholic population?—Sixty thousand five hundred and thirty.

3062. So that I may take it that, whether you look at Belfast or the County of Antrim and County Down outside the Belfast area, the Roman Catholics are in a hopeless minority?—They are, but I do not forget that the provisions of the Bill of which we speak will give the Catholics cumulative voting.

3063. You approve of cumulative voting?—I have not said so, but it will have that effect.

3064. That is part of the Local Government Bill, you say?—Yes.

3065. Of which your Member has given notice to move the rejection?—I have nothing to do with that.

3066. You do not approve of it?—I have not said so.

3067. But you approve of cumulative voting?—I approve of cumulative voting where it is the only means that we have of getting any representation.

3068. You would not keep a good thing to yourself; if you had it, you would not keep a good thing from others?—They are differently treated.

3069. If you approve of cumulative voting for yourself in Belfast, you would not refuse that boon to the other people in different parts of Ireland who may wish it?—I am neither giving or denying; I am speaking of things in regard to our representation.

3070. And you think that cumulative voting would be an advantage to you?—In Down and Antrim it would be an advantage certainly, to the Catholics.

3071. Am I to take it from you that because of the composition of the Corporation of Belfast you think that no further power ought to be entrusted to the Corporation?—I do not understand you.

3072. Do you think that because of the composition of the Corporation of Belfast it is unwise for Parliament to entrust them with any further powers than those they already have?—Yes, unwise so far as our interest is concerned.

3073. I say, looking to the composition of the Corporation, are you prepared to take this ground: that, so far as the Corporation is concerned, until you get what you consider your rights from that body, you are prepared to arrest the whole progress of Belfast?—No, but we take advantage of these occasions, the only ones offered to us, to bring before the Imperial Parliament our grievances. We have no other means of doing so. I do

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Mr. T. W. Russell—continued.

do not say that this is to arrest the progress of Belfast, it is only to try to direct it in a better channel.

3074. You spoke of declarations of the Grand Juries of Antrim and Down against this Bill?—Yes.

3075. And you said you thought those declarations ought to influence the Committee?—I think they ought.

3076. Are you aware that the Grand Juries of Antrim and Down have withdrawn their opposition to the Bill?—I have heard so, but I do not know upon what grounds.

3077. You have scarcely been out of this room since the Inquiry commenced; did you hear counsel for both Antrim and Down withdraw?—I heard counsel state when Mr. Sexton asked them for the clauses with regard to the Grand Jury of County Down that they would be put in afterwards, but I am not aware yet that they have been made public.

3078. Do you think it is right to see declarations by two public bodies when those two public bodies have withdrawn their opposition?—If they withdrew them on fair grounds of course I cannot find fault with their doing so, but I do not forget that they opposed them, and they must have reasons for withdrawing their opposition, and you will remember that up to the present moment I have no knowledge of what the terms are upon which the County Down has withdrawn.

3079. You are aware that it is very common for public bodies to take formal opposition to a Bill in order to secure a *locus standi* before the Committee?—I have very little experience of that.

Mr. Sexton.

3080. Would it be fair to the Grand Juries of Antrim and Down to assume or to suggest that they made statements in their Petitions which they do not believe to be true, or believed not to be true, for the purpose of obtaining a little more money?—I think it would be a libel upon them, because I look upon them as honourable gentlemen.

Mr. T. W. Russell.

3081. If you look upon them as honourable gentlemen, they having withdrawn their opposition, you must consider that they have been actuated by honourable motives?—I do not question their motives, but I have no means of judging of them.

3082. With regard to the industrial schools, you concur with the other Catholic witnesses that the Grand Juries of Antrim and Down have acted fairly?—I have stated so.

3083. And also that they are exclusively Protestant bodies?—I believe they are not altogether exclusively Protestants, but substantially they are. I think the Catholics now and then find a place upon them.

3084. Now and then, but for all practical purposes they are exclusively Protestant bodies?—Yes.

3085. And they have acted fairly in the matter of the industrial schools, so far as the industrial schools are concerned?—Yes, perfectly fairly.

Mr. T. W. Russell—continued.

3086. You have given us a list of five methods in which the Belfast Corporation might act in a spirit hostile to the Catholic interests in regard to these schools; the first is that they might refuse the contribution altogether?—Yes.

3087. That course has actually been followed by the Grand Juries of Cavan and Carlow?—And Queen's County also. The official return gives the instances.

3088. Are you aware that, so far as the Grand Jury of Cavan is concerned, they objected to the whole principle of industrial schools, and declined to contribute upon other grounds?—No, I am not aware of it, but I am aware of this, that for a length of time they contributed to Protestant schools and to Protestant schools only.

3089. Are you aware that the Grand Jury of Cavan is explanation of that are prepared to give evidence that one of those schools was considered to be a reformatory, and that as they were bound, when they found out their mistake, they withdrew the grant?—I have heard the words of the inspector, Dr. O'Farrell.

3090. Are you aware that the Grand Jury have stated that?—No, I am not; I believe Dr. O'Farrell will give evidence about it.

3091. I only ask whether you know the alleged facts?—No, I never heard of such a thing.

3092. Do you think that there is any real difference now between an industrial city like Belfast and a county like Cavan in respect to industrial schools; is not an industrial school a matter of sheer necessity in a place like Belfast when it may not be in County Cavan?—If you look at it from the point of poverty or crime, with regard to poverty I would say that in Cavan an industrial school is more of a necessity than in Belfast, because there is employment for children in Belfast and there is not in Cavan. Looked at from the point of crime it is more a necessity in Belfast than in Cavan, because the children are more exposed to crime.

3093. A great city generates crime much more than a rural district?—Yes, much more.

3094. Do you think that it is at all likely that the Corporation of Belfast, with the power that this Bill proposes to vest in them, would undo the action of their predecessors, the Grand Juries of Antrim and Down, and refuse to contribute anything to the industrial schools?—I do not doubt that as long as they contribute to Protestant schools they will continue to contribute in some way or other to Catholic schools.

3095. I am dealing with the first objection, refusing to contribute at all?—I am merely pointing out that they have power to do as if they please.

3096. But do you think that under the circumstances of Belfast, the representatives of this great centre of industrial activity generating juvenile crime, would take the responsibility of absolutely refusing to contribute to these schools; do you think it likely?—I believe that they would be capable of doing it, taking into consideration their persistent and systematic treatment of Catholics for 25 years to my own knowledge.

3097. But allow me to suggest that what they are capable of is one thing; do you think they would

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Mr. T. W. Russell—continued.

would be likely under those circumstances to do it; I must press for an answer.—The circumstances of Belfast, as you know, change so rapidly, owing to outside influences; people come and make speeches and stir up partisan passions which otherwise would not be excited in Belfast.

3098. That is not confined to one side, is it?—I do not speak of being confined to one particular party, but I know that after certain gentlemen came to Belfast we had riots, and riots changed the whole face of Belfast.

Mr. Sexton.

3099. The whole spirit of Belfast?—Yes.

Mr. T. W. Russell.

3100. Then, in answer to a question put three times myself, you say you think the Belfast Corporation could act in the way I have suggested?—I have told you that I believe they are perfectly capable of it, and I gave my reasons.

3101. I take the answer?—Because of their treatment of the Catholics with regard to the cemetery when they drove them to buy a place outside the borough, and because of their persistent and systematic treatment of the Catholics in their own employment and the offices they control.

Chairman.

3102. You think it is possible that at times of excitement they might take such a strong step as to refuse to contribute?—Yes, and they come on us so unexpectedly.

Mr. T. W. Russell.

3103. If you think they are capable of doing that it is needless putting any questions regarding the other four alternatives, because if they will refuse to contribute altogether, they are quite capable of contributing less than their just rate, and less to the Roman Catholics than to the Protestants, and they might contribute only for a fixed number, or they might prefer schools outside Belfast?—All these things are possible.

3104. I again press you upon the whole five; do you think any of them are likely to occur?—I do think so.

Mr. Sexton.

3105. Especially after the anniversary of the riots?—Or after a demonstration such as we are promised within a few days. Belfast has done very well left to itself. If that demonstration is not a Belfast demonstration it must be owing to people coming to Belfast.

Mr. T. W. Russell.

3106. You do not mean to tell me that you are going to prevent demonstrations?—I only give the facts of the effect upon Belfast.

3107. That carries you a long way, because demonstrations are held in other places than Belfast?—I speak of the effect upon Belfast owing to its peculiar constitution, and judging from recent similar demonstrations.

3108. You think that the powers of the borough bench should be made the same as those of

Mr. T. W. Russell—continued.

Dublin in this matter?—I do with regard to these cases.

3109. You have a good deal more faith in removable magistrates than the bulk of your fellow-countrymen?—I have faith in them so far as their executive duties are concerned, because they are responsible to the authority.

3110. This is magisterial duty, is it not?—Which do you mean?

3111. The committing of children?—Committing these children is an executive duty.

3112. There is a distinct difference between magisterial and executive duties; it is an old question here. You distinctly prefer and have a higher opinion of removable magistrates than the bulk of your fellow-countrymen?—I do not know.

3113. You will trust them with the power which you will not trust to the ordinary bench at Belfast?—I will.

3114. And you ask the Committee to look at Dublin for an analogy?—With regard to these children.

3115. Are you aware that the local magistrates in Dublin do not sit in the police courts at all?—I am aware of that; they have not petty sessions jurisdiction yet.

3116. You do not think that that was intended as a reflection upon the local magistrates of Dublin?—I do not know the origin of it; I speak of things as they are in Dublin.

3117. Take Limerick; there is a bench of magistrates at Limerick; the borough bench has power of committal there?—Yes.

3118. Do you tell the Committee that the magistrates of Belfast are at all inferior to the magistrates of Limerick?—No, I do not make any comparison.

3119. Do you say that they are likely to act less fairly than the borough bench in Limerick or Cork?—They are likely to act fairly in Limerick and Cork. I judge from what they have done in other matters. I gave an instance in Cork where they pay a Protestant official 1,800 l. a year.

3120. I will come to that; that is the Corporation. I am now speaking of the magistrates; do you think the borough bench in Belfast is less honourable or upright than the borough bench in Limerick or Cork?—I do not make any comparison; I speak of the bench of which I have cognisance.

3121. The powers that the Belfast bench now have in this matter are exercised by the bench in Limerick and Cork?—Yes.

3122. Do you propose to make any change in that respect?—I am aware that, in Limerick city, out of a total of 35 magistrates, there are one-third Protestants, and I am aware that, out of 67 magistrates in Belfast, there are 22 Catholics; so, taking into consideration the different constitution of the bench in Limerick and the different constitution of the bench in Belfast, it is not fair to ask me to give an opinion with regard to whether one is honourable and the other is not.

3123. It simply comes to this; that, because the Belfast bench is largely Protestant, you object to them having this jurisdiction?—I do

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not say so. I guard myself from saying a word about Protestants.

3124. Can you give the Committee a single case during the whole of your experience in this matter in Belfast, where the borough bench exercising that power have been guilty of any act of injustice to Catholic children?—I can give satisfactory proof that we have found it necessary to pay a man some 15s. a week, and that meant one day's work, practically speaking, in order to guard our Catholic children upon those days.

3125. Is that your answer?—I was going to add to the answer that, with regard to any definite case where a child may have been committed by mistake or committed in any other sense to a different school, we make application to them and get it put right; but there have been difficulties when a case has come forward to present the evidence in such a way as that the justices may take our view of the case. Time after time they have refused to commit children brought before them; they have remanded them to the workhouse and put such difficulties in the way that we could not get the children committed. I do not say that in any particular instance they committed a Catholic child to a Protestant school, because we could have it at once put right by appeal to the Lord Lieutenant, but I say there are difficulties thrown in the way of our children, and we have to guard against their committing our children to their schools, and to pay a man to watch the cases.

3126. It is possible that the Protestants may say the same things in Cork and Limerick?—It is not possible.

3127. Then you claim a virtue for the Catholic magistrates which you do not give to the Protestant magistrates?—I do not say a word about the Protestants inasmuch as they are Protestants, or for the Catholics because they are Catholics. I speak of Belfast as it is.

3128. You are unable, I take it, to give us a single case of injustice that has been committed?—I do not attempt to give a case of injustice; the question has not been raised.

3129. These cases are all heard on Saturday? As a rule.

3130. Do you not think that that is an excellent arrangement?—It is not according to us.

3131. Do you think that it is against the Catholic interest?—I know that there is no Catholic upon the bench on Saturday.

3132. These industrial school cases by arrangement are heard on Saturdays, are they not?—Yes, they are.

3133. Now is it possible to say that that is an arrangement hostile or inimical to Catholic interests?—I say distinctly that it is, for this reason, that the only Catholic on the rota on the bench on Saturdays is a Catholic who is an official of the Government, inasmuch as he receives a large Government salary for attending the police force; and he does not sit upon the bench, and for that reason I say that we have no Catholic representation when the cases come up.

Mr. T. W. Russell—continued.

3134. You have a stipendiary?—The stipendiary may be a non-Catholic.

3135. There is always one Catholic and one Protestant?—They are not both sitting on the bench on Saturdays; sometimes only one.

Mr. Sexton.

3136. And he may be a Protestant?—And frequently is. I see the name of Robert L. Hamilton; he is the first of the Saturday magistrates, and he is known in Belfast as the most active agent of the Protestant boys' and young men's organisations, and an efficient and hard worker amongst them, taking a special interest in them.

Mr. T. W. Russell.

3137. That is the Young Men's Christian Association?—In doubtful cases he is most anxious.

3138. You mean to say that the Young Men's Christian Association in Belfast have the slightest interest in the question of industrial schools?—I have not mentioned the organisation to which you refer.

3139. You said "Young men's and boys' associations"?—He takes an active interest in them and kindred bodies. I say that he is present upon the bench on Saturdays, and that is a guarantee to us that everything will be done to prevent our securing justice in doubtful cases.

3140. As to the Saturday arrangement, what I point that out for is, that the Catholics, at all events, have noticed by that arrangement that the cases are heard on Saturday?—Yes.

3141. And they cannot be taken unawares?—No.

Chairman.

3142. Is one of the two stipendiaries always present on Saturday?—Not always; he may or may not be. There is no provision made for them upon this rota at all.

3143. But I thought the stipendiaries might possibly make an arrangement for themselves too?—I am not aware; they may do so.

Mr. T. W. Russell.

3144. As a matter of fact, is not the working of this matter this: that one stipendiary sits in each court every day?—Not every day. On Saturday none of them sit according to this rota.

3145. According to the rota I agree, but that is the local magistrates' rota?—Yes.

Chairman.

3146. Is it arranged that the stipendiaries should not sit on Saturdays?—In one of the courts.

Mr. T. W. Russell.

3147. Which court is that?—I think the Summons Court.

3148. This is not the Summons Court; do you mean to tell the Committee that there is an arrangement by which the stipendiaries are shut out from hearing these cases on Saturday?—No, I say

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I say not; I say, as a rule, there is one there on Saturdays.

3149. Coming to the question of the employés of the corporation, you complain that the Catholics are excluded as Catholics?—I do.

3150. You have given the grounds of that complaint, or you have put in a return giving the grounds upon which you complain?—Yes.

3151. I suppose you will admit that the Presbyterian body in Belfast are more numerous than the Episcopalians and Roman Catholics combined?—I could not say yes or no.

3152. But you have studied the census returns to some advantage?—I do not question it if you say so.

3153. What is your opinion upon that point?—I do not question that they are.

3154. You do not question it?—No, but I do not see the inference.

3155. There are 17 members of the council who are justices of the peace in this return which you have handed to the Committee?—Yes.

3156. The Presbyterians are more numerous than the Episcopalians and the Roman Catholics combined in the town?—Yes.

3157. And they are not deficient in intelligence or social position or enterprise?—No.

3158. Should you be astonished to hear that out of the 17 justices of the peace there are only six Presbyterians?—Yes, but you are speaking of 17 justices of the peace who are also members of the town council.

3159. I am taking your own return which you have handed in?—There is no Catholic on it at all.

3160. I talk of Presbyterians; there are six out of 17?—Yes.

3161. Now would you say to the Committee that there had been a dead set to exclude Presbyterians in a Presbyterian city?—But you see what you are quoting from; you are quoting from a return of the town councillors who are also borough justices, and of those 17 you say one-third only are Presbyterians; it may be only an accident.

3162. Now I will take the next list; I will take the names of the original members of the police committee of the corporation, showing who are justices of the peace. There are 19 upon this list; how many do you think are Presbyterians?—I do not know.

3163. Only nine out of 19; that is out of a Presbyterian population more than the Catholics and Episcopalians combined?—But that is on the committee only.

3164. No, this is the return of members of the council who are justices of the peace, and the names and religions of the members of the police committee, showing who are justices of the peace?—Yes, but recollect that even amongst them you cannot have a Catholic; you are speaking of the town councillors who are justices of the peace.

3165. I am not dealing with Catholics now at all; I am pointing out to you that here in a city that is largely Presbyterian, the Presbyterian magistrates upon the corporation and upon the police committee are only one-third of the total; would you say that there had been a dead set

Mr. T. W. Russell—continued.

against the Presbyterians?—I would say that if they have any grievance on that head it would not compensate us for our grievance, and there was a time in Belfast when the Presbyterians were Liberals and opposed to the dominant faction of the town council; they were opposed as much as we are, but now they are not.

3166. You said there was a time when the Presbyterians in Belfast were Liberals; are not many of them now Liberals?—Many of them are not Liberals.

Mr. Sexton.

3167. Is it the fact that the Presbyterians, so far as regards the matter of this Bill, are satisfied with the Protestant industrial schools?—I believe they are.

3168. Have they established any schools of their own?—No.

Mr. T. W. Russell.

3169. Do you know anything about it?—I have heard no complaint.

3170. Do you represent the Presbyterians of Belfast upon that or any other question?—No.

Mr. Sexton.

3171. Is it the fact that the Presbyterians have established any schools of their own?—Yes, the schools are in common for Protestants and all denominations.

Mr. T. W. Russell.

3172. You have handed in a list of high-class employés of the Corporation; they number 90?—Yes.

3173. How many Presbyterians are there?—I do not know.

3174. You have not gone into that?—No.

3175. Only one-third there also?—A considerable number indeed.

3176. A considerable number in the city, where the Presbyterian population is two-thirds of the whole. I am not saying that the Catholics are not wrongly treated, but I want to understand this: that the Presbyterians are suffering from the same things as the Catholics, only to a lesser extent?—Yes.

3177. Do you mean to tell me that there is really anything in the idea that the Corporation of Belfast, a Presbyterian city, excludes Presbyterians from their employment or from the magistracy, or anything else?—I do not say that they do.

3178. It is only a question of degree between Catholics and Presbyterians?—I am not here to give an expression of opinion with regard to others. I am here in the interest of the Catholic children only, and I do not give any opinion with regard to others.

3179. As regards the workhouse, a question upon which I have a very strong feeling, you have said that there were 2,642 inmates of the workhouse on the 30th of September last?—Yes, and the number to-day is larger.

3180. I take the evidence given. Of that number 1,326, rather more than half, were Roman Catholics?—Yes.

3181. Is

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Mr. T. W. Russell—continued.

3181. Is not that an extraordinary proportion?—Yes, it is unfortunately a large proportion.

3182. And only one Roman Catholic nurse in the whole establishment?—Yes, in the whole establishment.

3183. You have said that they have applied and have been excluded?—For an addition to the Catholic nurses.

3184. Those nurses, of course, must have some training?—Yes, they must have training to be efficient.

3185. Can you also inform the Committee whether, when those Roman Catholic nurses went before the board of guardians, they had any recommendations from medical men?—What recommendation they had from medical men I cannot say, but I have been told by the chaplain of the workhouse, who is aware of these things, that they were perfectly qualified for the positions for which they applied, and that, if the board of guardians would consent to allow Catholics in proper parties would be presented for the appointments.

3186. If the board of guardians had nurses recommended by medical men and nurses recommended by clergymen, I do not care of what denomination, do not you think it very probable that a medical man's recommendation would carry the appointment in preference to the recommendation of a clergyman?—It would not in preference to the recommendation of some clergymen; it would in preference to the recommendation of others, and I think that that system of recommendation is just one of our evils, because it is by these clergymen's recommendations that the religion of the applicants is generally known.

3187. Take the Harbour Board; you say there is no Catholic upon that?—Yes, I say there is no Catholic upon that.

3188. You would not say that the Harbour Board has done its work badly in Belfast?—I would not.

3189. Is not Belfast Harbour almost a monument to the Harbour Board of Belfast? It is very creditable to them; I do not say a word about that.

3190. And has not the business been uncommonly well done and well managed?—I cannot say that; I do not know.

3191. You are aware of the position which the Port of Belfast holds?—I am aware that it is a large port.

3192. Are you aware that in the returns of the Customs Revenue it is about the third in the United Kingdom?—I am aware of it, but it is not in consequence of any action of the Harbour Commissioners.

3193. You do not know?—I do not know.

3194. You do not think that cutting a straight channel to the sea was a very advantageous thing?—I am aware that before that straight channel was cut the trade at Belfast was very much the same as it is to-day.

3195. Are you aware that it has trebled within the last 25 years?—The channel has only been cut within the last year.

3196. Are you aware that the channel was cut in three sections, the first in 1841?—I am aware that vessels could not pass up what is called the straight channel until about 12 months ago.

228.

Mr. T. W. Russell—continued.

3197. At all events the Harbour Board is an elective body?—It is.

3198. Do the electors who return the Harbour Commissioners return Protestants?—They do.

3199. Do you complain that you have not fair play in that?—I know that in some instances Catholics tried to find admission to it and failed.

3200. Is not that the fate of minorities everywhere?—Generally speaking, it is; not everywhere.

3201. Can you suggest any plan for remedying that?—I do not wish to suggest anything here in reference to that; I merely give that as an illustration of the feeling which is abroad throughout Belfast.

3202. You say that the minority unfortunately seem excluded from representation?—Yes.

Mr. Sexton.

3203. Surely that is not the case, I think, in Dublin, Cork, and Limerick?—It is not.

Mr. T. W. Russell.

3204. I am coming to Dublin, Cork, and Limerick; but is there any re-arrangement of wards or anything suggested in Belfast as regards the Harbour Board?—No; but if we had a re-arrangement I believe we should be able to return on our own strength representatives to those different boards, and I will tell you why: West Belfast with a population of 61,000, has a majority of Catholics of 32,000 as compared with 29,000 Protestants; with that majority we are able to return a member to Parliament, as you are aware, and yet we cannot return a town councillor simply because those 32,000 are cut up and thrown in amongst the people of three wards; and in no ward can we have a majority owing to that state of things.

3205. That does not apply to the Harbour Board?—It would more or less; to a degree it would.

3206. You say that the Corporation of Belfast are also members of the Conservative political party?—I believe they are.

3207. Do you complain of that?—I do not certainly.

3208. Are you aware that the Corporation of Birmingham, for example, is a very strong political Corporation?—I do not know much about Birmingham.

3209. It is not at all an uncommon thing, is it, for members of corporations to be strong members of a political party and to nominate men even for the corporation?—I do not question it.

3210. That is one of your cases against them, that you have no reason to hope for justice from them so long as they do it?—So long as they continue to act as they are doing we have no hope.

3211. Do you say that the members of the corporation select the candidates for the different wards of Belfast?—I do not know how the selections are made, because I am not in their secrets, but I know what appears in the public press with regard to the support they receive. It is generally known in Belfast in a few days who are the official nominees of the town council.

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and whom they will support. How they are appointed I cannot say.

3212. But that is true of the great English cities as well, is it not?—I suppose it is.

3213. Coming to Dublin, which I happen to know pretty well; first of all there is a Protestant Conservative representation in the town council of Dublin, is there not?—I believe there is.

3214. Do you think that the Protestants of any ward in Dublin get that representation otherwise than by the votes; do you tell the Committee that there is a single Protestant Conservative in the corporation of Dublin who has his seat on that board by any other right than the right of election by his fellows?—I do not understand the question. Do you mean, is there any person in Dublin who has a seat on the board by any other right than the votes of his party?

3215. What I mean is this: You are claiming special representation for the Catholic minority?—Yes.

3216. I am now dealing with the Conservative minority in Dublin. You say that they get representation on the corporation of Dublin?—I do say so.

3217. Do they get it by any other means than by the votes of the wards?—I understand that they do in certain wards; that there are two or three wards in which they can command seats because of having a majority; but I understand that in other wards they are returned by the joint votes of Catholics and Protestants.

3218. I am now talking about Conservative Protestants; I am drawing a distinction which the honourable Member for West Belfast, I see, understands perfectly clearly. There are seven Conservative members in the Dublin corporation; they are all Protestants and they represent a Protestant minority. Do they sit there by any other means than by the votes of the Protestants of Dublin?—I do not suppose they do.

3219. There are, say, five other Protestants in the Dublin Corporation; how are they returned?—They are returned by the joint votes, I take it, of their own supporters and the Nationalists, or others, in their wards.

3220. Are they not returned, not because they are Protestants, but because they are Home Rulers?—I did not say that they were returned because they were Protestants, nor do we want as Catholics to be returned because we are Nationalists; but what I say is this: that if we are Catholics, no matter whether we are Conservatives or Home Rulers, we would not be returned in Belfast, which makes all the difference in the world.

3221. You say that they have no Roman Catholics returned for the corporation of Belfast?—I say that some quarter of a century ago there were three; everybody knows that.

3222. When did they stand last, and were rejected?—They have stood as late as 1878, and contested five of the wards, and were rejected.

3223. Do you put it to the Committee that they ought to have been returned against the votes of the people?—I do not put it that they ought to have been returned against the votes of

Mr. T. W. Russell—continued.

the majority of the people; but I put it that there being 70,000 Catholics we ought to get some means of finding a representation upon the spending body to which we contribute so largely.

3224. And you are in favour of cumulative voting to achieve that object?—I am not speaking with regard to cumulative voting, except so far as it has relation to the County Government Bill.

3225. Do you know since 1880 of any Protestants having been appointed to any post in the Dublin Corporation?—I do not.

Mr. Sexton.

3226. Do you know whether so lately as 1887 the borough surveyor, a Protestant gentleman, the principal official of the corporation, in point of salary, was appointed; I mean Mr. Spencer Harty?—I take it for granted that that is so.

3227. The post of borough surveyor fell vacant with the highest salary given by the corporation; there were two candidates, Protestant and Catholic, both of them already assistant surveyors in the employ of the corporation, was a Protestant appointed by a ballot vote?—I believe he was.

Mr. Hincks.

3228. Just one word about the attendance of the magistrates; do you know what the average attendance on the Saturday is?—Judging from the paper of attendances, I should say three or four.

3229. There are six or seven effective Roman Catholic magistrates on the bench, are there not?—There are not more than six or seven Catholics.

3230. Is there anything to prevent one of those gentlemen, or two or three of them, attending on Saturday if they please?—No, except that the custom is against such a thing as the magistrates attending upon any but their own days, because they would be looked upon by the public as going there for some special purpose.

3231. And you are afraid that if this matter was in the hands of the corporation, the bench would not be so fair as up to the present time they have been?—I fear that under the altered regulations they would not be so fair as they have been in the past.

3232. You do not agree with Mr. MacLaren because I asked him whether he thought that the alteration proposed would work any difference between Roman Catholic and Protestant schools in the case of the contribution, and he said that they had the power. But that he did not think they would exercise it?—No; they have not exercised it in the past.

3233. But I am talking of the future and what the effect of this change would be. He said that they would have the power to make a difference to the detriment of the Roman Catholic schools, but that they would not in his opinion use it; you think they would?—I have stated in regard to one portion of it that at times of excitement they might possibly go so far as to treat us altogether differently; and I have said that at ordinary times they might treat us differently,

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differently, simply by limiting their contributions to a fixed number, saying that they were treating us justly in doing so.

3234. Mr. MacLaren's opinion is that they would not exercise the powers, though they had them. There is a Roman Catholic priest attached to the workhouse of course, who attends regularly?—He does every day.

3235. So that it would be only in case of any sudden illness that a person would die without the advantage of his attendance?—In case of sudden illness that would occur; but there are people who are sick for days and weeks, and who from time to time appear to be dying and who require attendance.

3236. Without expressing any opinion as to the very small proportion of Roman Catholic nurses to Roman Catholic patients, which it is not my duty to do, may I ask this: I suppose that Protestant attendants and nurses would not refuse to send for a Roman Catholic priest if requested to do so by a dying or sick patient?—I do not say for a moment that they would.

3237. It would only be in a few cases, very sad cases, of course, that a person who was seriously ill or dying, would be unable to obtain the consolations of the Roman Catholic religion?—There is more in it than that, because there are some 500 or 600 in the Union Hospital out of 1,300 in which there are chronic cases of illness and many cases of death. It is not simply a question of sending for a priest when a patient is in danger of death; there is also being with the person after the priest has attended him and speaking kindly to him and showing sympathy with him.

3238. That would be met by your first answer, that the Roman Catholic priest is in daily attendance?—That is so, but it is impossible for him to come in contact with every person out of the 500 or 600 in the wards.

Sir Edward Harland.

3239. Referring again to this rota of attendance of members, are you aware that at intervals of two or three years the mayor, the chief magistrate, invites each magistrate to kindly indicate what day or days in the week will be the most convenient for him to attend at the Petty Sessions?—I am not at all aware how the rota is made up; I only take it as I find it.

3240. You have indicated that there are perhaps two magistrates there on the Monday; do you see any method in which by their own desire they could be there on Saturday in place of being there on the Monday?—There are two names given here as likely to attend.

3241. But some of your colleagues thought it very unfair that there should not be any two magistrates there on the Saturday; why should it not be suggested to those magistrates that in place of there being two there on a Monday, when there are none of those cases about the schools coming up, they had better attend on Saturday in place of Monday?—I do not take this at all as an expression of the opinion of the magistrates individually, because to my own knowledge there is the same down here of a Catholic magistrate as attending on a particular day, and this magis-

Sir Edward Harland—continued.

trate I know never attends at all; and I cannot conceive of a man returning his name as on a particular day if he never means to sit on the bench at all.

3242. Does not that apply to many Protestant magistrates?—I do not know; I speak of what I know; I have no reason to question it if you state it.

3243. Would you be surprised to find Protestant magistrates who have never attended the bench at all?—I do not know.

3244. Do you think that it would be difficult for you to arrange that two of the Catholic magistrates should attend on the Saturday in place of the Monday?—If they did it would matter little to us, because two out of eight would always be a minority.

3245. Can you give us any instance where by reason of the absence of Catholics on the bench on the Saturday there has been injustice done?—I have given you a point, and I think a very substantial point, that we are paying 15s. a week to an agent to watch the interests of the children before those magistrates.

3246. Have not the Protestants some clergymen sometimes present for a similar reason?—I do not know what the Protestants do.

3247. Have you ever, in your experience, found that there were some Protestant clergymen there to watch their interests just as you yourself may have been there to watch your interests?—I do not go there at all; I have been there only once or twice in connection with children.

3248. Did you observe that there was no Protestant clergymen there?—I cannot say that I did observe whether there was any Protestant clergymen there.

3249. Will you say that there were none there?—I cannot say; I tell you that I did not observe any person there; I have no recollection.

3250. You referred, did you not, to the total absence of any of your persuasion from official positions under the corporation in Belfast?—Yes, I have referred to that.

3251. Can you state that, whilst the corporation do not employ Roman Catholics upon their staff, the various employers in the city in the large mills and other industrial enterprises do employ them?—In many instances they do.

3252. Can you distinctly state that they do?—With regard to private employers, they have not reduced the exclusion of Catholics to a fine art, as the town council of Belfast have.

3253. Can you state that in all the mills in Belfast put together, there are 50 Roman Catholics holding very responsible positions?—I do not know what you mean by "very responsible positions."

3254. Shall we say leading foremen, or leading clerks?—That again would require explanation. I am aware that a great many Catholics hold very responsible positions in mills, which positions they have earned by their own industry and high character.

3255. Are you aware of anyone having ever earned anything anywhere without industry, enterprise, and attention; and is Belfast an exception to the general rule in that respect?—No, I

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do not suppose it is; but I am well aware that there are positions and salaries given to people who have never earned them by their own talents or industry.

3256. Can you quote those firms as being successful, under those circumstances?—There have been Catholic firms quoted here.

3257. I am not speaking of individuals?—I thought you spoke of individuals. I do not speak of your firm or of any other, but I speak of individuals, and I say that many of them do obtain positions in Belfast, not through their own talents or industry, but for other reasons.

3258. I did not ask as to individuals; I am referring entirely to firms, in contradistinction to corporations?—But you are dealing at the present moment with employees, who are individuals.

3259. I am referring to large employing firms?—With regard to large employing firms I am prepared to answer your question as best I can.

3260. You rather seemed to intimate that the Friars' Bush burying-ground was closed compulsorily by the Corporation, as if it was an act which they should not have performed; did you intend that that inference should be drawn?—I say that it was closed in connection with the taking of the new burial-ground.

3261. Are you aware that the Corporation were compelled to provide a new cemetery, one of the reasons being that Friars' Bush was in such an insanitary condition?—That is not my point at all. My point is this: that when it became necessary to close the old Catholic cemetery at Friars' Bush; I do not question for a moment that it should have been closed; the Catholics would not get from the Corporation the powers or the lien over the new cemetery that they thought they were entitled to. I do not question that Friars' Bush ought to have been closed to a certain extent.

3262. If you read the question put to you, and your answer bearing upon that point, I am of opinion that it would lead anyone to imagine that the cemetery had been closed when it should not have been closed?—I do not mean that at all, but I mean to say that they closed it concurrently with the other, and forced the Bishop to bury in ground that he did not want to bury in, so compelling him to buy ground elsewhere.

3263. You occurred, did you not, as to the dispute between your Bishop and the Corporation, that the Corporation required permission to be given that any ratepayer, or his friends, saying that he was a Roman Catholic, should have the right of burial there, and that your Bishop sought to have the right of veto against it?—I simply say that the Bishop asked of them such rights as would enable him, as Catholic Bishop, to preserve the ground consecrated.

3264. Do you mean that a Roman Catholic inhabitant who, from his own choice, had perhaps not attended to all the rights and ceremonies of his church, as laid down by the Romish priesthood, would have been refused the rite of burial there afterwards?—I do not mean for a moment to say that he would be refused burial, because there are certain things that the Church requires before what you call a veto is put on by those "Romish priests."

Mr. Sexton.

3265. Do you adopt the term "Romish"?—No, I look upon it as offensive; I do not know whether intended or not.

Sir Edward Horland.] I am afraid I cannot use any other word than "priesthood" because the Protestant Church of England claims the right of using it as to its own priesthood in the same way.

Mr. Sexton.] We call ourselves "Catholics."

Chairman.] We will use the term "Roman Catholics."

Sir Edward Horland.

3266. (To the Witness.) Are you aware that your church has refused to perform the rites of burial over one of your own party, simply because he was a Freemason?—I do not know that of my own knowledge.

3267. Have you heard of such a refusal?—I know of no case in Belfast.

3268. Have you known of such a case in the last 25 years in Belfast?—I have not.

3269. Did you ever hear of the case of the late Mr. Toby Criswell having been refused those rites?—I never heard it before.

3270. Are you aware that he was a magistrate?—That would not make him any the better.

3271. Was the Glasnevin Cemetery originally consecrated by the authorities of the Roman Catholic Church?—I do not know.

3272. With reference to there being only one Roman Catholic nurse in the workhouse, is it not generally considered that it is the business of the nurses to attend to the bodily wants of the patients, rather than to their spiritual wants?—Yes; they are not the chaplains.

3273. And they leave the ministrations to spiritual wants to the chaplains. In that case, as has already been put to you, would you be surprised that the committee in charge of such appointments should prefer, probably upon the advice of the doctor, to appoint the nurse who was best trained for attending to the bodily wants of the patients, without any view whatever to their spiritual wants?—As I have said already, if they consented to waive their objection to a Catholic as a Catholic, we were quite prepared to put forward perfectly competent nurses. You overlook altogether the fact that 40 nurses are less than half of the 94 employees about whom you make no question, and who do not require any special training.

3274. Then do you accuse those who appoint these nurses of having appointed them more with a view of their not being Roman Catholics than of their being capable of attending to their duty as nurses?—I simply say that they have been appointed, I do not know upon what grounds with regard to their personal qualifications, but I know that if they were Catholics they would not be there, judging from what has happened up to the present time.

Chairman.

3275. Do the two stipendiary magistrates dispose of a very large quantity of the work in Belfast?—They do; I believe one of them sits in

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Rev. J. HANILL.

[Continued.]

Chairman—continued.

in each court every day except Saturday, when they are marked as not bound to attend.

3276. I understand that although the Roman Catholics are very much in a minority as regards the ordinary local justices, you have half the stipendiaries?—One of them is a Catholic; in consequence, I believe, of some reports of Royal Commissions recommending that some representation should be secured to us.

3277. That sounds very unreasonable. Would you be satisfied, in cases of commitment to an industrial school, if the Roman Catholic stipendiary was present, in conjunction with other magistrates?—No, we should not be satisfied, because he would be outvoted, and is outvoted.

3278. You would not be satisfied unless you had upon the Bench an actual majority of your own religion?—No, but we should be perfectly satisfied to leave the commitment in the hands of any two resident magistrates, or of any one of them, as in Dublin.

Mr. Sexton.

3279. Even in the hands of a Protestant resident magistrate?—Even in the hands of a Protestant resident magistrate, because their knowledge of the law is certified for by the Lord Lieutenant.

Chairman.

3280. You think that there should be a rearrangement of the wards, so that the Roman Catholics should have their share of representation at all events upon the Town Council?—I think there ought in justice to be such a rearrangement.

3281. Of course, so far as the Town Council is concerned, the Roman Catholics could not by possibility have a majority?—They could not by any possibility.

3282. But when you come to judicial work, you would not feel satisfied unless there was a majority of Roman Catholics, if the work is to be done by local justices at all?—I do not want the local justices to deal with industrial school cases at all. I want to put it in the hands of men who would not be under local influences, and who would have had legal training, which the borough justices have not had, as any one who knows them would admit.

3283. Has there been much public complaint on the subject of the non-appointment of Roman Catholic nurses?—There has been considerable complaint, and there is considerable discussion in the newspapers about it at the present moment.

3284. And you think that, independently of what is called spiritual assistance that is given by the priests, people who have lingering illnesses and are dying by degrees, would like to be attended by nurses of their own faith?—I think they would like to have the kind word and the sympathy which a person of their own religion would be able to give them, especially when they are old and poor, and abandoned by everybody else except perhaps the kind nurse.

3285. I think so too; but I do not understand that you are able to point to specific cases in which Roman Catholic nurses have actually applied to be appointed and have been rejected?—I only speak from information which I have

Chairman—continued.

from the chaplain of the workhouse, and he informed me that they had applied; and I know from a letter of his which I have read in the papers lying here that he begs them to grant the concession that they will not refuse a nurse simply because she is a Catholic.

3286. I think that return speaks for itself as to the nurses; it appears that there is only one Catholic nurse?—That is so, and she was appointed some 25 or 35 years ago, when there happened to be some Catholic representation on the board.

Sir Edward Harland.

3287. Does the stipendiary magistrate when present take the chair?—Not always.

Mr. T. W. Russell.

3288. Regarding the rota, I see that there are eight or 10 magistrates down?—On some days 10, on some eight, and on some 14.

3289. My experience, from looking at the police court proceedings in the newspapers, is that there are very rarely more than two or three magistrates present?—Three or four, at the outside.

3290. Then although they are on the rota, it does not follow that they sit?—That is what I say. It was suggested by Sir Edward Harland that the fact of two or three Catholics being on the list secures them representation. I say that it does not, because I know some of them do not attend at all.

3291. Although they are on the rota, it does not follow that all those magistrates attend?—It does not.

3292. If the Catholic justices held your views with regard to the probable action of the bench in those cases they would attend?—I shall tell you in addition with regard to that, that I believe it is the resolution not to attend at all as a rule owing to the hopeless minority in which they are, and their impotence to do any good.

3293. That is the difficulty of being in a minority at all?—But with regard to Saturday, the day on which the cases are heard, there is no representation whatever, because the Catholic magistrate who is put on the rota for that day is an official who does not sit.

Sir Edward Harland.

3294. Are you not aware of the fact that a larger proportion of Protestant magistrates attend on the bench than of Roman Catholic magistrates?—I am not aware that it is so, but I take it for granted, if you state that it is so, that it must be so.

3295. I do not say; are you aware that it is so; I ask you. Are you aware of its being so?—I am quite satisfied that there are weeks when no Catholic magistrate sits upon the bench at all from Monday to Saturday.

3296. Dr. Magee is very regular in his attendance, is he not?—I am not speaking of Dr. Magee. You know him perhaps better than I do.

3297. I do not know him at all except from the papers.

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3298. With

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Rev. J. HAMILL.

[Continued.]

Mr. Sexton.

3298. With regard to the comparison which has been made between the Corporation of Belfast and the Grand Juries of Antrim and Down, all of which are Protestant bodies, as to their employees, is it the fact that the county surveyor of Antrim is a Catholic; that the late county surveyor of Down was a Catholic; and that at the present moment the baronial constable of Dundrum in that county is a Catholic?—That is true.

3299. With regard to the suggestion that the rota may be altered so as to allow Catholics to sit upon certain days, of course you would remind the Committee that the Royal Commission recommended, and this House affirmed the principle, that none of the local justices should sit upon any day in Belfast?—Yes, in the same Blue Book in the Report of the Commission which sat in 1886, which recommended that they should be deprived of Petty Sessional jurisdiction.

3300. And any troublesome question as to majority or minority could easily be determined by putting the question into the hands of the two resident magistrates, one being a Protestant and one a Catholic?—It could.

3301. It has been suggested by some questions which have been put to you that the Presbyterians have a grievance; if they have any grievance, would you say that they have none in reference to this Bill, seeing that the Presbyterians appear to be satisfied with the Protestant industrial schools, inasmuch as they have established none of their own?—They have no school that is distinctly Presbyterian that I am aware of. There are simply down here four schools, two for boys and two for girls, and I have never heard Presbyterians complain of the children going to those schools.

The Witness withdrew.

Mr. J. D. Fitzgerald.] Before I address the Committee, I should like to hand in the circular which the Honourable Member for West Belfast has referred to several times, issued from Dublin Castle with regard to the appointment of governors of asylums. (*The following Paper was handed in:—*)

"CIRCULAR to Grand Juries and Town Councils.

"Dublin Castle, 16 May 1888.

"Sir,—I am directed by the Lord Lieutenant to acquaint you, for the information of the that the Government have under consideration a proposal for bringing about a more direct connection than exists at present between the local authorities which strike the rates and the governing boards of the district lunatic asylums, in support of which the rates are struck.

"The proposal is as follows:—

"1. The income of the district lunatic

asylums is derived from two sources, the one *local* and the other *Imperial*. It appears from an examination of the expenditure of the asylums throughout the country that, on the whole, the contributions from the two sources are nearly equal.

"2. The appointment of all the governors of these asylums is at present vested by law in the Lord Lieutenant, who alone is responsible for the selections made. But the suggestion is that to the extent of one-half of the number of governors on each board the power of nomination should be delegated, in the proportion of their respective contributions, to the fiscal bodies concerned, and that his Excellency should select the names from lists to be annually submitted by them; the persons so appointed to hold office for one year, but to be capable of re-election.

"3. Nothing in this arrangement to be held to modify the Lord Lieutenant's responsibility; and, accordingly, if from among the names submitted to him he could not find a sufficient number of suitable ones, the vacancies should either be left unfilled, or other governors appointed by his Excellency.

"4. The distribution of this power of nomination, when settled, to remain undisturbed for five years, or until it is shown that a re-adjustment is called for in the interests of any of the contributory bodies.

"His Excellency before proceeding further in the matter will be glad if you will move the to favour him with any views or suggestions which they may desire to offer on this proposal.

"I am, Sir,

"Your obedient servant,

"West Ridgeway."

Mr. Sexton.] Do you propose to give any evidence to show the basis of these agreements?

Mr. J. D. Fitzgerald.] No, Sir, I think the agreements speak for themselves. Then there is another matter that I ought to refer to, as to the action of the grand jury of the County of Cavan. Of course, I have nothing to say for the grand jury of the County of Cavan; they are not represented in any way before the Committee, and are not in a position, therefore, to give any explanation; but a telegram has been received from the secretary of the grand jury of the County of Cavan which states his view of the facts with regard to these industrial schools, and though it is not evidence, with the permission of the Committee I will read the telegram.

The Committee consulted together.

Chairman.]

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Chairman.] It is hardly material to what we have to decide.

Mr. Sexton.] What is the practice?

Mr. J. D. Fitzgerald.] The practice is that the Committee decide what is reasonable under the circumstances.

Mr. Sexton.] I do not object.

Mr. J. D. Fitzgerald.] The telegram is this: "County Cavan grand jury contribute to no industrial school, Protestant or Catholic. Meath Protestant Industrial School got on our books as reformatory in error, and received a few payments as such. When mistake was discovered we ceased to contribute, and give to reformatory only."

Thursday, 19th May 1892.

MEMBERS PRESENT :

Mr. Lefevre.
Sir Edward Harland.
Mr. Knox.
Mr. T. W. Russell.

Mr. Sexton.
Mr. Arthur Elliot.
Mr. Hines.

THE RIGHT HON. G. SHAW-LEFEVRE, IN THE CHAIR.

Mr. Fitzgerald was heard in reply on behalf of the Promoters.

[Adjourned to Monday next, at 11.30.]

Monday, 23rd May 1892.

MEMBERS PRESENT :

Mr. Shaw-Lefevre.
Mr. Arthur Elliot.
Sir Edward Harland.
Mr. Hinckes.

Mr. Knox.
Mr. T. W. Russell.
Mr. Sexton.

THE RIGHT HON. G. SHAW-LEFEVRE, IN THE CHAIR.

Chairman.] THE Committee have agreed to pass the preamble of the Bill so far as it concerns the transfer of the lunatic asylum from the joint management of the county of Antrim and city of Belfast to the Corporation of Belfast; but they have not agreed to so much of it as relates to the industrial and reformatory schools, and they will amend the Bill in accordance with that decision by striking out those clauses relating to the industrial schools. I do not know whether you desire to go through the Bill now, or whether you wish for an adjournment.

Mr. Black.] We should prefer to go through the Bill now.

Mr. Knox.] May I ask whether it will not be necessary to make some adjustment between Antrim and Down in consequence of the decision of the Committee.

Mr. Black.] No, so far as Down is concerned, no children are sent from the city to the reformatories or industrial schools.

Mr. Sexton.] In Clause 7a, you say, "Provided always, that the Corporation shall repay to the said grand jury all expenses incurred by them in respect of the conveyance, reception, keeping, and maintenance of any offenders or children at any such reformatory or industrial school who have been or shall be sent thereto from or contributed by the city."

Mr. Black.] That was to be a clause inserted to meet the case of a prisoner sentenced at quarter sessions or the assizes in Down, and committed to a reformatory or industrial school.

Mr. Sexton.] A person committed to an industrial school would not be charged with any offence.

Mr. Black.] No; that was simply to meet that condition, no other.

Mr. Knox.] The officials of the grand jury will surely have to perform some duty in connection with industrial schools which they would not have to perform if the Committee had passed the preamble of the Bill.

Mr. Black.] The secretary of the grand jury will, of course, have to perform some duties, and there is a provision for paying some sum.

Chairman.] Are you prepared with all the amendments to meet the views of the Committee?

Mr. Black.] We are.

Mr. Cripps.] On page 2, line 4, an amendment will be necessary in consequence of the decision of the Committee.

Chairman.] I take it that it will come out by consent.

Sir Edward Harland.] Have you referred to that little correction at line 12, page 2?

Chairman.] That has been struck out. Then on page 4 we have struck out paragraph 3.

Mr. Cripps.] The latter part of that paragraph would come out from line 21 to the end, but I am not quite sure about the previous part. The paragraph begins: And whereas it is just and reasonable that the obligations of the city to contribute under the recited Acts of 1865 and 1888, to the amounts presented by the grand juries of the counties of Antrim and Down respectively for the purposes hereinbefore recited should be modified as by this Act provided."

Chairman.] That is only a recital. When you come to the enacting clause you have all you want.

Mr. Sexton.] Clause 3 says that the 1st January 1893 is to be taken as the date of separation. I should think the proper date of separation would be the day on which the Holywell Asylum is opened. Perhaps Mr. Fitzgerald will explain why it is desirable that that should be the date.

Mr. Fitzgerald.] I may point out with regard to the date of separation that unless the date of separation is fixed on the 1st January next, it will involve the Corporation of Belfast contributing to the erection of the Holywell Asylum, and the county of Antrim contributing to any additions that are made in the meantime until the Holywell Asylum is complete in the existing Belfast Asylum, and then a complete financial adjustment, and taking of lands as to both those matters between the parties afterwards. Whereas if the date of separation is fixed as the 1st

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January next, which is the date that all the parties have agreed to, the whole expenses of the Holywell Asylum which the county of Antrim are going to build for their own purposes will be returned to them, and they will have the entire direction of the building which is afterwards to be for their benefit; and similarly the governors of the new district will have the direction of the alteration in the Belfast Asylum, and the whole expense of that will fall once and for all on the city of Belfast.

Chairman. This clause is practically agreed upon by the parties. The objection which has been raised to the whole affair is on the part of persons who are not directly interested in the details of the scheme, but who raise a question of principle, therefore it seems to me we had better agree to the clause as amended with the consent of all parties before us.

Mr. Knox. Is the amendment so printed on page 2 of the amendments what is desired by the Corporation. It seems to me the same question arises on that.

Mr. Sexton. I want to ask you this, some time is to elapse after the date of separation and before the erection of Holywell Asylum, and there will be two charges, one chargeable to the city and the other to the county. I notice at page 9 the amount to be paid to the city by the Antrim district will include a reasonable allowance for establishment expenses and interest on capital expenditure; but may I understand that there will be a capitation rate payable by the county to the city different from the capitation rate in the city.

Mr. Fitzgerald. The way it would work out would be this, that the Antrim Grand Jury, who would be the authority for the Antrim district, and the Corporation would agree on what the rate should be. It might be probable, no doubt, that there would be a capitation rate. That would be the simple plan.

Chairman. Are we to take the Bill in the form in which it originally was presented, or in its amended form, as the Bill before us.

Mr. Cripps. The Bill before you is the Bill; what we ordinarily describe as the correct amended Bill.

Chairman. Therefore it is not necessary to put these amendments from the Chair?

Mr. Cripps. Oh, no.

Mr. T. W. Russell. They go in as part of the Bill?

Mr. Cripps. Yes.

Chairman. Therefore the question is that the clause stand part of the Bill.

Mr. Knox. I have an amendment to move on Paper B.

Mr. Sexton. Before you come to that I should like an answer to my question.

Mr. Fitzgerald. The matter is left open for agreement between the two parties interested,

the Corporation on the one hand and the grand jury of the County of Antrim on the other. If they do not agree then it is to be settled by arbitration, and the arbitrator, in settling the amount, will have regard to all the items of expense which go to make up the expense of the asylum, and then, having arrived at that, I presume he would fix a capitation grant or capitation sum, that being the usual plan. Accordingly, if there were 100 patients it would be provided, for 90 persons it would be one-tenth less, and if there were 110, that is one-tenth more. The whole matter is left open, so that no technicality would interfere with the arbitrator doing substantial justice between both parties.

Mr. Sexton. You contemplate that there would be one capitation rate for city patients and one for the county patients?

Mr. Fitzgerald. No, there is no capitation rate for the city patients at all. The whole expenses of the asylum falls in the first instance on the city. If they have 200 patients from the county in the asylum the expense is very large, and the county should pay to that. In default of an agreement, I take it from experience in similar cases of arbitration, there would be put before the arbitrator what the total expense of carrying on the asylum is; and then included in the total expense of carrying on the asylum would be an allowance in regard to county patients, not merely the actual expense of feeding so many persons, but an allowance in respect of what would be called their lodging, that is, the shelter they get in the asylum; or, to put it in another way, an allowance for interest in respect of capital expenditure on the asylum. Taking all those matters into consideration, the arbitrator would say, it is for the county to pay so much in respect of the patients which you have there, and annually he would fix a capitation grant as the simplest way to carry it out.

Mr. Sexton. It would be impossible in that case that there should be an identical capitation rate in the annual rate for the whole number of the patients in the asylum.

Mr. Fitzgerald. I do not think that would be possible.

Mr. Knox. In Paper B, I move to leave out the words "shall vest in the Corporation," and propose to insert the words "shall vest in the board of governors of the asylum district." I think it is a most objectionable course to take that form. If the Holywell Asylum is to be under the control of governors, some of whom will be suggested by the Corporation, none of whom will be directly appointed by the Corporation at all, why under those circumstances should the property be vested, not in the governors as has been the case hitherto, but in the Corporation. I affirm that if the governors of Antrim have hitherto owned this property the property should now be owned by the governors of the district from time to time.

Mr. T. W. Russell. I submit that is not sustainable. It is one thing to leave out of a preamble a clause vesting an asylum in a corporation and

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and saying the Board of Control is the legal owner, but it is an entirely different thing to take the plant of the asylum and vest that in a different body to the Corporation. I do not think that is reasonable.

Mr. Kiaz.] The governing body has hitherto conveyed this property, whatever it is. My contention is the governing body should only do the same thing in the future.

Mr. Fitzgerald.] This clause was introduced into the Bill, I am informed, at the request of the Board of Control. It was not in the Bill as submitted to the Committee by the Promoters, but at the request of the Board of Control it has been added to the Bill.

Mr. Kiaz.] May I ask why, if no other corporation owns asylums, the Corporation of Belfast should have this power. Why should it not be vested in the Board of Control? What would be the objection to vesting it in the governors, as is the case in every other part of Ireland.

Mr. Fitzgerald.] The only objection on our part is that it is a clause drawn by the Board of Control, and inserted in the Bill at their request. The matters it covers must be something very small, because the whole building and grounds and so on are all vested in the Board of Control.

Mr. T. W. Russell.] That is not the plant but the asylum. This is practically the plant of the asylum.

Mr. Kiaz.] It seems to me it gives the Belfast Corporation indirectly a very large control over it, an overwhelming control which might hamper the governors if at any time there were a majority of the governors opposed to the Corporation.

Mr. Sexton.] You first proposed by your Bill that the asylum and all the lands and everything else should vest in the Corporation. Then on the 5th February last the solicitor to the public works wrote a letter to the town clerk, in which he said: "With reference to Clause 3, sub-section 3, so far as the Board of Control are concerned they are advised that they cannot and should not allow the new district to have different powers or rights from any other district, and that the asylum, together with the lands, must remain the property of the Board of Control." The Board of Control have contradicted themselves. They say the district should not have different rights or powers from any other district, and they then say that the asylum and lands should be vested in them; but I would go a little further, and point out that if the district is not to have different powers or rights from any other district the Corporation of Belfast, no more than any other corporation, should have the remainder of the property vested in it. There are other corporations which contribute to lunatic asylums, such as Dublin, Limerick, and so on, and nowhere in Ireland is the property in an asylum vested in a corporation or other contributory to it, because

it is plain that the inhabitants have a special interest.

Mr. Fitzgerald.] I am not pressing this clause upon the Committee at all as a clause to which the Corporation of Belfast attach any value. They have put it in the Bill at the request of the Board of Control. That being so, they are obliged to present it to the Committee, and leave it to the Committee. Having done so, they leave the decision entirely to the Committee.

Mr. Sexton.] You are not as accurate as you usually are. You say they have inserted it at the request of the Board of Control. What the Board of Control requested was that part of the original clause vesting the asylum and land in the Corporation should be struck out.

Mr. Fitzgerald.] That is one thing; but I am told that this identical clause, as it stands, came from the Board of Control, and that is what I refer to.

Mr. Kiaz.] May I ask Mr. Fitzgerald whether he has considered the general Lunacy Law in reference to this. It occurs to me that it is very likely it would be very difficult to do this, having regard to the general Lunacy Law. Nowhere else throughout Ireland do corporations hold this property. It might cause great complication.

Mr. Fitzgerald.] I do not like to express any opinion about the law; there is a difficulty, as you will see in a body like the governors who are not incorporated, possessing property, but all I said before was that the Corporation of Belfast attach no importance to this clause, and leave it entirely in the hands of the Committee.

Mr. Cripps.] Perhaps I ought to explain that the Treasury originally communicated to me on the point at the instance of the Irish Office, pointing out that this clause would require to be amended, and this clause as amended now before the Committee came from the Irish Office with the approval of the Treasury for the purpose of insertion in this Bill.

Chairman.] I cannot take on myself the responsibility of advising its rejection.

Mr. Kiaz.] We are making a change in the law. The ordinary law is to leave these things to the governors.

Mr. Sexton.] You are vesting in the Corporation part of the property of an asylum. None of them has any asylum vested in them, or any part of the property. It is always in the governors so far as it is not in the Board of Control.

The Committee-room was cleared.

After a time the counsel and parties were called in.

Chairman.] The Committee has passed Clause 3. I am sorry to say I am obliged to leave now, and we cannot go any further through the Bill at present.

Wednesday, 25th May 1892.

MEMBERS PRESENT:

Mr. Lefevre.
Mr. Arthur Elliot.
Sir Edward Harland.
Mr. Hinckes.

Mr. Knox.
Mr. T. W. Russell.
Mr. Sexton.

THE RIGHT HON. J. G. SHAW-LEFEVRE, IN THE CHAIR

On Clause 4.

Mr. Sexton.] This clause proposed a special board for Belfast of 18 members, of whom 12 should be nominated by the Corporation. They suggested to Parliament to appoint a board to suit their particular convenience. I think it is requisite that some special measure should be taken after the evidence that has been heard by the Committee to constitute a board for the special circumstances of Belfast.

Chairman.] Is the Bill, as it is amended by you, the Bill which is before us?

Mr. Black.] Yes.

Chairman.] Then we cannot take any discussion on Clause 4. The subject in that clause ought not to be raised, and it must be brought up in the form of a new clause.

Clause 4 was struck out.

Clause 5 was read, and agreed to.

On Clause 6.

Mr. Sexton.] This clause includes the whole of the paper, page 3 of the amendments, and includes the whole question of the settlement between the county of Antrim and the county of Down, and the city of Belfast. In the Bill, as originally deposited, it was proposed to be enacted that the sum should be determined by the Lord Lieutenant in Council. I understand Mr. Black to say in his evidence that the law is that the Lord Lieutenant in Council is to determine the amount to be paid. Now, instead of referring to the Lord Lieutenant sum is named in the special paper.

Chairman.] This is a matter that has been agreed upon between the parties. There is no mention of this particular point in the [Petition against the Bill. I do not think it would be open to us to enter upon the subject.

Mr. Sexton.] I understand that this is a Select Committee, and I am here representing certain ratepayers in Belfast who have no seat on the Corporation.

Chairman.] I do not understand that you suggest yourself that the amount is unfair. You

ask us to go into the matter, without having any complaints before us. There is no petition against this part of the Bill.

Mr. Sexton.] I point out that there are persons interested besides the parties here.

Mr. Cripps.] This is a simple inexpensive mode of dealing with the question which the parties are competent to agree upon, instead of having the points referred to arbitration, and then having a long and complicated arbitration upon it.

Chairman.] If Mr. Sexton is prepared to prove in evidence against this, I shall take the opinion of the Committee as to whether it should be received; but, in the absence of that, I do not think we can ask the parties to submit to cross-examination upon it.

Mr. Sexton.] I do not propose to cross-examine them. I ask them to state to the Committee on what basis this valuation was arrived at.

Chairman.] It is a financial transaction which has been agreed upon between the various parties interested, viz., the Corporation of Belfast and the grand juries of Antrim and Down.

Mr. Sexton.] Parliament contemplates the assent of the ratepayers.

Chairman.] As Mr. Sexton does not propose to call any evidence upon it, I must put the question that the clause stand part of the Bill.

Mr. Sexton.] The next question is a material question as to the accommodation of patients. The Corporation proposes to pay 2,500 £ further on condition that the Holywell Asylum would accommodate 400. There are 671 chargeable to the workhouse, and 253 in the county asylum. That is 924. The Corporation Asylum holds 530, and, if they only make the Holywell Asylum available for 400, that will be 930. I submit, therefore, that a scheme which limits the accommodation of Holywell is not a scheme which will comply with the requisites which the districts desire.

Chairman.] That is an argument against the whole Bill.

Mr. Sexton.] No.

Surely

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Chairman.] Surely it is not an argument against the clause itself. I must ask Mr. Sexton whether he proposes any amendment?

Mr. Sexton.] I will propose that the Holywell Asylum should accommodate not less than 500, and that a proportionate sum should be paid by the Corporation for the additional accommodation.

The counsel and parties were directed to withdraw.

After a time the counsel and parties were called in.

Chairman.] The Committee have decided that the word "four" should stand part of the Bill.

Mr. Sexton.] Sub-clause 3 of Clause 6 is to this effect: "In default of agreements as to any of the matters aforesaid, the same may, at the request of any party, be determined by the Lord Lieutenant in Council who shall have regard to the provisions of this Act and to all the circumstances of the case, which it appears equitable to consider." In a letter of the official solicitor to the Board of Works written to you on the 5th February he said: "With regard to Clause 6, Sub-clause 3, his Excellency the Lord Lieutenant is advised that that is in some degree inconsistent with the 18th & 19th Victoria, chap. 84, Section 4, and should be modified accordingly."

Mr. Black.] They have agreed to the Bill as it stands. There has been no further correspondence. If you refer to Section 3, Sub-section 3, that is what he refers to.

Mr. Sexton.] Excuse me, it refers to both one and the other.

Mr. Black.] I have taken out Section 3, Sub-section 3. The letter is a mistake. He misquotes the section.

Chairman.] Have you any further amendments to suggest in the clause?

Mr. Sexton.] In Paper C., page 5, of the new clause, they propose to pay 1-10th of the sums from time to time presented by the grand jury, or pensions, superannuation, allowances or gratuities, or payments up to the date of separation, and after the date of separation 1-15th. Will Mr. Black tell us why the difference is made?

Mr. Black.] One is based on the valuation at the present time, and the other is on the valuation in the year 1870.

Mr. Sexton.] I understood from Mr. Black's evidence, that the valuation is 1-10th, but you have 1-15th. (A.) The 1-10th is taken 20 years ago when the Act 1868 was passed.

Mr. Sexton.] You consider it is fair that you should pay 1-10th to one class, and 1-15th to the other?

Mr. Black.] Yes.

The Clause was read, and agreed to.

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On Clause 7.

Mr. Sexton.] I think the Committee agreed that a great part of the advantage of the institution of the second asylum would be lost unless the governors had power to transfer patients from Belfast to Antrim for the sake of health and recovery as well as for the sake of accommodation, and I understood that some members of the Committee said at an earlier stage that they would be willing to agree to an amendment of Clause 7 by which the Governors of Belfast Asylum may be able to transfer patients from Belfast to Antrim and Down.

Mr. Black.] So far as we are concerned, we have no objection.

Mr. Sexton.] Will you bring in words to provide for that?

Mr. Black.] It will meet it if you insert, in line 37 on page 10, after the word "Asylum," "or from whom change of asylum may be desirable on the grounds of health."

Mr. Sexton.] May I ask Mr. Black whether it is supposed that Belfast can take any patients from Down. Can Down take patients from you? I see the limit of accommodation is 400. They had an average last year of 399.

Mr. Black.] It has been suggested by the board of governors in Down, and we have agreed to it.

Mr. Sexton.

111. Do you think anything will happen from it?

Mr. Black.] It is part of our agreement.

The words were added to the clause, and the clause, as amended, was agreed to.

On Clause 7A.

Mr. Cripps.] Clause 7A will have to be amended in accordance with your decision.

Mr. Sexton.] Will the Promoters object to give us some extension of this? If you look at Clause 8, which is omitted, the Corporation provided that they shall not in future pay any thing towards the support and maintenance of the county infirmary and the salary of the surgeon, or the salaries of the county treasurer, and secretary of the grand jury. And for the county of Down the support and maintenance of the county infirmary, and the salaries of the surgeon and officers, and the salaries of the county treasurer and secretary of the grand jury. That is the Bill as put before the ratepayers. They were to pay money. But new clauses are now proposed to be inserted, providing that payments shall be made for the maintenance of the infirmary, the salaries of the surgeon and county treasurer, and secretary of the grand jury in Antrim and for Down; the support and maintenance of the county infirmary, of the salaries of the surgeon and officers, and the salaries of the county treasurer and secretary of the grand jury. The proposal now differs from the proposals before the ratepayers. I think it would be satisfactory if the Promoters would give us some brief account of the change.

T 3

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Chairman.] It is agreed upon between the parties. I do not think we can go into the matter. The Corporation of Belfast and the counties of Antrim and Down have agreed to it.

Mr. Knox.] Since the agreement was made, as I understand, the position has to some extent altered by the decision as to the reformatory and industrial schools. The payment, as agreed to be made by the city towards the county treasurer and secretary of the grand jury is 50 *l.* a-year. That is supposed to be to cover the salary of the county treasurer and the secretary in respect to industrial schools.

Mr. Black.] Quite so. I have communicated to the solicitor since your decision, and have heard nothing to the contrary. I communicated with the solicitor for the county of Down, and I have received a letter this morning saying they are quite satisfied.

The clause was read, and agreed to.

On Clause 7b.

Mr. Sexton.] I offer the same protest; I say the clauses in the Bill that the ratepayers had before them provide that no payment should be made either to Antrim or to Down in respect of these matters, and the agreement has been made since in private without the ratepayers having had any opinion on the point.

The clause was read, and agreed to.

Clauses 8 and 9 were struck out.

Clause 10 was agreed to.

On Clause 11.

Mr. Sexton.] This is a financial clause, to which I would ask the attention of the Committee. This clause provides that the Corporation may from time to time raise the money required for the present Asylum of Belfast, but may also raise the money for the establishment of any new asylum by the issue of stock. The proposal in this Bill is to authorise the Corporation to issue stock which may not be required for some 20, 30, or 40 years. I submit that the Corporation have power already, and that this clause is entirely superfluous, and it is most inexpedient in a Bill of this kind to duplicate powers which already exist under certain conditions. This Corporation by their Act of 1889 of which the town clerk is well aware obtained power to issue stock after the 31st of December 1888 for any authorised purpose. They have at present power to issue stock to any extent for any authorised purpose. This new asylum has become an authorised purpose since the Lord Lieutenant was pleased to give an Order in Council for it, and therefore it is absolutely unnecessary for Parliament to interfere; and I submit that it is inexpedient. I also say that the term of 60 years mentioned in the clause for the repayment of the stock, cannot be accepted. I say it should be 30 years.

Mr. Cripps.] I think that really is a matter of draughting. It is essential that this power should be given in this Bill. I do not think it

can be worked under the existing Acts unless there is a clause. Of course the question of the form of the clause has been considered by the draughtsman who is responsible for the Bill, and has considered one that is necessary. As regards the question of the period, of course the Committee will bear in mind that if they think it desirable to shorten the period and increase the burden upon the rates of this generation of ratepayers as is suggested, we are entirely in the hands of the Committee, but I would point out that the result of this would be the acquisition of a considerable amount of freehold property to the Corporation.

Mr. Knox.] Not to the Corporation but the Board of Control. The Corporation get no valuable property at all, but only the furniture as I understand by the Bill.

Mr. Sexton.] The principle laid down by Parliament is that the term of repayment must be determined in England by the Board of Trade, if it gives authority for the loan, and consequently that term of repayment must have regard to the purpose for which the money is required.

Sir Edward Harland.] As a representative of the ratepayers of Belfast, I think it is my duty to get the best term for the ratepayers, and my feeling is rather that the term shall be as indicated by the Bill which is customary with other corporations in Belfast. I know that the Harbour Commissioners have their loans from the Government at 60 years. It is not like loans for money to be expended in the building of labourers' cottages, and all kinds of light structures of that kind. This is really upon works of the most permanent description, and I may say for philanthropic purposes, not for any trading purposes whatever.

Chairman.] I think this is a matter generally very closely guarded by the Government departments. If they have allowed it to pass I do not see any reason why we should interfere, and I think the tendency of Parliament has been to enlarge the period rather than to shorten it.

Mr. Sexton.] The Irish Secretary's Office take no cognisance of Irish Bills. The Board of Control only concern themselves with matters which refer to themselves, and the Bill has not been dealt with by any financial Government Department.

Mr. Knox.] The Board of Control has no power to alter it, and this will be a repayment by equal annual payments; therefore this clause throws the greatest burdens on posterity which is permitted in the most extreme cases in any loan. I happen to have correspondence with some of the departments on the question of loans. The Board of Works in Ireland insist on repayment of municipal loans on the principle of repayment by portions of capital, so that the amount to be repaid in subsequent years shall be smaller. It was the same question which was in issue between the London County Council and the Treasury recently.

Chairman.]

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Chairman.] That was a totally different question. The question raised by Mr. Sexton is whether we should shorten the period from 60 years to 30 years. Replying to that that applies to both cases, whether it be equal annual payments or not. Has this clause been submitted to the Board of Control?

Mr. Cripps.] Yes; if I might be allowed, in answer to the honourable Members, to make one statement. I act as agent for the London County Council, and being familiar with the whole financial transactions of London I may point out that the term of years which the London County Council have for repayment of stock for all purposes is 60 years.

Chairman.] The question raised between them and the Treasury was on a different point.

Mr. Cripps.] Yes, on a different subject.

The Clause was read, and agreed to.

On Clause 12.

Mr. Knox.] By Clause 12 the increased expenditure caused by this Bill is by a proposal of the Corporation thrown upon the poorer rather than the richer class of citizens by being thrown on the general purposes rate. I should like to see it thrown on the police rate.

Mr. Sexton.] What reason is there for throwing this on the general purposes rate instead of the police rate?

Mr. Black.] There was an Act of 1868 separating the borough from the county of Down, and the expenses of the asylum were all thrown by that Act upon the general purposes rate.

Mr. Hincks.] This makes no change.

Mr. Black.] This makes no change.

Mr. Knox.] It appears that the police rate does not fall so heavily on the poorer classes; there is a very heavy burden on Belfast, I think. I should propose after the words "general purposes rate" to insert the words "Provided they shall be defrayed out of the police rate in so far as they exceed the maximum heretofore paid by the city for these purposes."

Mr. Black.] The police rate is a rate which is imposed on a graduated scale. Houses up to 20*l.* value only pay half the poundage rate, whilst the general purposes rate is an equalised rate; and the same poundage is paid over every class of property.

The amendment was negatived, and the clause was ordered to stand part of the Bill.

On Clause 14.

Mr. Sexton.] I observe that in this clause you retain the words, "As not inconsistent with the provisions of this Act," while in Clause 3 you have inserted the words, "so far as not expressly varied by this Act."

Mr. J. D. Fitzgerald.] The only thing to be said on that is that it is a mere question of draughting. Sometimes it is found that some provisions in the general Act are slightly in-

consistent with the provisions of the special Act, and where that is so, to prevent a deadlock, the provision of the special Act ought to be the governing one, and if so, those words are the apt words to carry that out, and they are the ordinary words inserted where you incorporate, for instance, the Lands Clauses Act, or the Railways Clauses Act. The expression commonly used is, "So far as it is not inconsistent with the provisions of this Act." It is ordinarily considered that these words are mere draughting. If there is a conflict between the two provisions then the provisions of the special Act override the provisions of the general Act.

Mr. Sexton.] If Mr. Fitzgerald will look to Clause 3, Sub-section 1, he will find a somewhat identical case. There you proposed to say, "So far as the provisions thereof are inconsistent with the provisions of this Act," and upon the requisition of the Board of Control you altered them into "Expressly varied by." I think Mr. Fitzgerald will see there is no reason for the ingenious, and in other cases practical, suggestion he has made.

Mr. J. D. Fitzgerald.] I think so, if I may say so with respect, your observations are very much to the mark, because there would be, perhaps, a difference between the two provisions. For that reason it would be desirable to alter Clause 14, and make the language of it exactly in accord with Section 3. I am very much obliged to you for pointing that out. The amendment would be simply this: to strike out the words "As not inconsistent with the provisions of," and insert instead, "So far as applicable, not expressly varied by."

The clause, as amended, was read, and agreed to.

On Clause 15.

Mr. Sexton.] This clause, as it originally stood, was that the costs should be partly borne by themselves, and partly by the county of Antrim and the town of Carrickfergus; but you strike out the proposals, I suppose, in pursuance of an agreement which you have made as to part of the cost being borne by Antrim and Carrickfergus. The clause has now no meaning whatever, because it is provided that the costs should fall on the Belfast rates, or such other rate or fund as the Corporation may determine. By the Borough Fund Act of 1888 it is provided that they may be borne out of the borough rate, or other funds or rates.

Mr. J. D. Fitzgerald.] It is the ordinary clause.

Mr. Sexton.] There is no occasion for it.

Mr. J. D. Fitzgerald.] It is the ordinary clause always inserted in a private Bill, and it is not desirable to depart from the ordinary form. Sometimes if you depart from the ordinary form there is some matter that you have overlooked. I do not suggest that you are not correct, but even assuming exactly what you say is correct it merely comes to this: that this clause is surplusage. It does no harm to leave it in, and it is certainly the ordinary form.

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Mr. Cripps.] There are similar enactments in all English Acts.

Mr. Sexton.] Do you say it is necessary?

Mr. Cripps.] If you ask me I would rather not express an opinion.

The clause was read, and agreed to.

The Schedule was read, and agreed to.

The Chairman was ordered to report the Bill, as amended, to the House.

Mr. Cripps.] It is provided that in all cases of Irish Bills introduced a certificate from the

Local Government Board shall be produced, and the Local Government Board always give a certificate in this form. This is the certificate: "That the application for the Bill in question is made without the information and approval of the Local Government Board for Ireland," and they always cover that with a letter to say: "I am at the same time to state that the certificates are given in this form, because the subject-matter of the Bill does not appear to fall within the jurisdiction of the Local Government Board, and the Board have no opportunity of forming an opinion on its provisions."

I N D E X.

[*N.B.*—In this Index the Figures following the Names of the Witnesses, and those in the Analysis of Evidence of each Witness, refer to the Questions in the Evidence; the Figures following *App.* to the Pages in the Appendix; and the Numerals following *Rep.* to the Pages in the Report and Proceedings of the Committee.]

A.

ACCOMMODATION (LUNATIC ASYLUM). Submission of copies of the resolutions of the City Council of Belfast, the Grand Jury of County Antrim, and the Governors of the Belfast Asylum, with Mr. Owen's Report, dealing with the overcrowded state of the institution; necessary accommodation of 100 lunatics at the workhouse at Ballymena, *Black* 41 *et seq.*; 369-369, 400, 401.

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D.

Denpsey, Patrick. (Analysis of his Evidence).—Is engaged in business in Belfast, and is a ratepayer of that city; is also a director of three public companies, 1597-1599.

Reference to the meeting at which the petition against the Belfast Corporation (Lunatic Asylums, &c.) Bill was adopted; full explanation respecting this meeting, and assertion that it was of a thoroughly representative and incidental character, 1600-1602.—Assertion also that the petition referred to represents the universal feeling of the Catholics of Belfast in regard to the Bill, 1609.

Statement that the powers sought by the Corporation, if given, would operate most unfairly to Catholics, who would not be afforded facilities for the proper exercise of their religion,

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Dempsy, Patrick. (Analysis of his Evidence)—continued.

religion, owing to the anticipated employment of members of a different faith, 1610-1612. 1639-1637.—Opinion that the proposed separation of the boards of governors would lead to fiction and to increased expenditure, which would fall upon the city ratepayers, and that the present system is better and more economical than that contemplated by the Bill; details in support of above contention, 1613. 1615-1621. 1626-1628. 1634-1688. 1807. 1808. 1817-1821. 1882-1896.

Belief that the choice of accommodation for patients in the town or county asylum would be beneficial in every respect, 1614. 1622-1625. 1841. 1842. 1897-1906.—Evidence in support of strong objections to the proposed endowment of the Corporation with the power of nominating twelve out of the twenty-two governors of the asylum; grounds for the conclusion that the Catholics would receive unfair treatment, 1689-1702. 1716. 1717. 1822-1840. 1906-1912. 1914-1931.

Statement that a great length of time must elapse before the Holywell Asylum could be opened, during which time the whole expense of the maintenance of the insane would devolve upon the city ratepayers, 1703-1714. 1870-1875.—Opinion that the nomination of the local governors of the asylum referred to should be in the same proportion in regard to Protestants and Catholics as the population of the city of Belfast, viz., three-fourths and one-fourth, 1717-1726.

Statements that, in the event of the proposed Bill being passed, the powers of the Corporation in regard to industrial schools would be absolute, and, judging from past experience, might be used in a way prejudicial to the interests of the Catholic schools, 1727-1740. 1759-1761. 1773. 1980-2003. 2008-2012. 2076-2089.—Proposition that the power of committing to industrial schools should be left to the stipendiary magistrates, who are without local prejudice, and, on that account, might fairly be trusted to act impartially, 1741-1757. 2013-2015.

Approval of the suggestion that a Commission should be appointed to make a division of the wards of Belfast, with a view of giving fair representation to different classes of the inhabitants, which is not secured under the present arrangements, 1758. 1913. 1968-1974. 2062-2075.—Examination respecting the statement that out of forty members of the Belfast Corporation some five-and-twenty sit on the magistrates' bench, 1745. 1747. 1759-1766.

Admission that the proportion of Catholic magistrates in Belfast is larger than that of Antrim or Down, 1766-1772.—Acknowledgment that the grand juries of Antrim and Down, which are composed exclusively of Protestants, have, so far, dealt with the Catholic schools in a fair and impartial manner; witness is not, however, prepared to assent to the suggestion that the Corporation of Belfast would follow such an example, 1773-1801. 2004-2007.

Evidence respecting the alleged excessive payments made hitherto by the Corporation of Belfast to the county Down for the maintenance of lunatics, 1809-1815. 2016-2028.—Further examination respecting the inadvisability of having two distinct boards of management for the city and the county asylums, 1843-1849.

Reference to Dr. O'Farrell's evidence as to the importance of transferring a certain number of patients from the poorhouse to the asylum; concurrence of witness with the suggested system of transfer, 1850-1857. 1876-1881. 1933. 1934.—Explanation that witness is not totally opposed to the institution of separate boards of management, but is of opinion that before such an experiment is tried the joint management scheme should have a fair trial; admission that under certain circumstances separation might become necessary, 1858-1862.

Inability of witness to quote any case of hardship suffered by Catholic patients through the employment of Protestant attendants at lunatic asylums, 1901-1905.—Explanation of the course hitherto adopted in regard to the committing of children to industrial schools; admission that witness cannot quote any case of injustice done by the borough magistrates, 1942-1969.

Dixon, David. (Analysis of his Evidence).—Witness is mayor of Belfast, a governor of the lunatic asylum, and a Belfast harbour commissioner, 590. 635-637. 739.

Evidence to the effect that the requirements of the new Borough Funds (Ireland) Act have been duly carried out in the promotion of the Belfast Corporation (Lunatic Asylums, &c.) Bill; approval of the objects of the Bill, 591-601. 606-617. 723-731.—Belief that there would be no economy whatever in having a joint board for the management of the Belfast and Antrim asylums; preference of witness for complete administrative separation, 602. 603. 636-645. 676-704. 720 et seq.

Opinion that there is no reason for the suggestion that, in the event of the powers sought by the Bill in regard to industrial schools and reformatories being conferred on the Corporation, those powers would be unfairly exercised as regards Roman Catholics, 604. 605. 705-719. 736. 737. 748-751. 759-761.—Intention of the Corporation to

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raise stock for the purposes of the Bill; desirability of the time named in the Bill for redeeming the stock being granted, 618-623. 732-735. 758. 762-765.

Statement that the scheme concerning the two asylums arose solely out of the insufficiency of the accommodation at the Belfast Asylum; belief that the estimate for the new asylum is 60,000*l.*, 634-635. 752-757.—Particulars as to the way in which the governors of the asylum are nominated and appointed; strong objection to the insertion of any provision in the Bill binding the Corporation or the Lord Lieutenant to nominate a certain proportion of Roman Catholics, 646-675. 716. 717. 738-747.

Down County (Downpatrick Asylum). Petition of the cesspayers and members of committees of the grand jury of county Down against the Bill, p. 1.

Grounds for the proposal that the Corporation should be relieved from further contribution to the county Down infirmary, lunatic asylum, reformatories, and industrial schools, and to the salary of the secretary to the grand jury, the total amount contributed in respect of county Down being about 74*l.* yearly, *Black* 94-169.—Anticipation that Belfast will have to contribute towards the superannuation allowance of the staff of the Downpatrick Asylum, although no patients from Belfast have been sent to that asylum, 180-191. 359-361.

Concession of the principle that, if anything is done by the county Down officials for Belfast after separation takes place, there should be a reasonable payment made for it, *Haslett* 433-435. 443-450.

Certainty that the Belfast Corporation are paying the grand jury of county Down for the support of the Belfast patients while supporting them themselves; probability that the patients were sent to the Belfast Asylum instead of to Downpatrick on account of the ignorance of their relatives as to the rule, *Merrick* 951-955. 1059. 1063.—Information respecting the alleged excessive payments made hitherto by the Corporation of Belfast to the county Down for the maintenance of lunatics, *Dempsey* 1809-1815. 2026-2028.

Statement with reference to the grand juries of Down and Antrim having withdrawn their opposition to the Bill, *Hamill* 3074-3081.

See also *County Administration. Industrial and Reformatory Schools. New Asylums.*

Dublin and Cork. Advantage if Dublin city were constituted a separate asylum district; difficulty raised on the part of the Corporation, *O'Farrell* 1166-1168. 1200, 1221.

Fair treatment of Protestants in Dublin and Cork by the municipalities, as compared with the treatment of Catholics in Belfast, *Hamill* 2952-2956.

E.

Educational System. Satisfactory operation of the intermediate system of education as regards the Catholics of Belfast; witness urging that they should have proper facilities of taking their fair share in the municipal administration, *Hamill* 2970-2971.

England and Scotland. Increasing tendency in England and Scotland for boroughs to have their own asylums, *O'Farrell* 1092-1094. 1131-1133.

Expenses (Incidence of Cost). Contribution by the Government of half the expense of the Belfast Lunatic Asylum, the residue being paid in equal proportions by the city of Belfast and the county of Antrim, *Black* 18-41.—Intention of the Corporation to raise the money required under the Bill by corporation stock, or to borrow it from the Government under the General Acts; impression that the Government charge is 3½ per cent. for lunatic asylum purposes, payable in fourteen years, 11. 332-339.

Probability that the object of the governors of the Belfast Asylum in postponing action in regard to the separation of the districts was to ascertain the ultimate cost of the new asylum before doing anything, *Haslett* 461-473.—Intention of the Corporation to raise stock for the purposes of the Bill; desirability of the time named in the Bill for redeeming the stock being granted, *Dixon* 618-619. 762-765. 732-735. 758.

Examination upon the question whether the proposed scheme would not saddle the city of Belfast with a considerable cost now falling jointly on the city and county; relative burden upon the county and city under the plan for a new asylum, and for extension of the present building, *O'Farrell* 1145-1159. 1195-1201. 1211-1216.

Assertion that the passing of the proposed Bill would result in charging the whole expense of administering the two asylums upon the city ratepayers, *McLennan* 1287-1291. 1348-1350. 1366-1368.—Contention that the effect of the proposed scheme would

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would be that Belfast would immediately begin to pay for many more patients than it pays for now, *McAlister* 2250 *et seq.*

Advocacy of the provision of one adequate asylum by the joint contributions of the city and county, *McAlister* 2252 *et seq.* 2444-2458.

Rejection of proposed amendment for changing excess of present maximum expenses upon the police rate, *Rep.* vii.

See also *Down County, &c.* Rates. Roman Catholics.

G.

GOVERNORS OF ASYLUMS:

Evidence to the effect that the governors of the Belfast Asylum are partly nominated by the local authorities, and partly by the Lord Lieutenant, according to the proportion of the cost of the asylum contributed by the local bodies and the Government, respectively, *Black* 14-23.—Opinion that it would be most absurd to insert a provision in the Bill that a certain proportion of the governors of the asylum should be Roman Catholics; explanation that the power of the Lord Lieutenant to appoint Catholics would be the same under the Bill as it is now, *ib.* 263-298. 376-391. 398-399.

Particulars as to the way in which the governors of the asylum are nominated and appointed; strong objection to the insertion of any provision in the Bill binding the Corporation or the Lord Lieutenant to nominate a certain proportion of Roman Catholics, *Dixon* 646-675. 716, 717. 738-747.

Conclusion that the Lord Lieutenant will be able to nominate Roman Catholics as governors of the asylum under the Bill, as he does at present; disapproval of the insertion of any provision in the Bill that the Lord Lieutenant or the Corporation shall nominate Catholics, *Coxor* 774-779. 803-825. 873-881. 894.

Concurrence in objections to the proposed endowment of the Corporation with the power of nominating twelve out of the twenty-two governors of the asylum; grounds for the conclusion that the Catholics would receive unfair treatment, *McLennan* 1270-1275. 1351-1365. 1539-1554. 1589-1591; *Dempsey* 1689-1702. 1716, 1717. 1802-1840. 1906-1912. 1914-1932.

Opinion that the nomination of the local governors of the asylum referred to should be in the same proportion in regard to Protestants and Catholics as the population of the city of Belfast, viz., three-fourths and one-fourth, *Dempsey* 1717-1726.—Statement as to the power of the Lord Lieutenant to fix the number of governors of lunatic asylums generally, *O'Farrell* 2136-2138.

Evidence to the effect that under the present system the Catholic ratepayers have no power of recommendation or remonstrance in regard to the appointment of the governors of the lunatic asylum, *McAlister* 2151-2155. 2466 *et seq.*—Anticipation that the effect of the Bill, so far as the government of the asylum is concerned, would be to constitute the eleven governors appointed by the Corporation a working majority of the board; strong objection to the Corporation getting additional power over an institution where Catholic interests are concerned, *ib.* 2212-2212. 2357-2368.

Proposal that the governors of the asylum should be appointed as follows: three-fourths by the Corporation, one-fourth by the Catholic ratepayers, and the remainder by the Lord Lieutenant, who should, in appointing them, have regard to the distribution of religious creeds in the city, *McAlister* 2271-2274. 2520, 2521.—Admission that there is no special cause of complaint against the Asylum Board as regards the way in which the asylum is managed, *ib.* 2365-2368. 2466-2468.

Belief that the majority of the governors of the asylum are opposed to the present scheme, *Hamill* 2807.

Rejection of amendment proposed in Clause 6 to insert "five" instead of "four," *Rep.* vii.

See also *Cuning, Dr.* Expenses. Roman Catholics.

Grand Juries (Antrim and Down). Petition of the grand jury of Antrim against the Bill; also of members of committee of the grand jury of county Down, p. 1.

Admission that the grand juries of Antrim and Down, which are composed exclusively of Protestants, have, so far, dealt with the Catholic schools in a fair and impartial manner; witness is not, however, prepared to assent to the suggestion that the Corporation of Belfast would follow such an example, *Dempsey* 1773-1801. 2004-2007.

Withdrawal of opposition to the Bill by the grand juries of Antrim and Down, *Hamill* 3074-3081.

H.

Hamill, The Rev. James. (Analysis of his Evidence).—Witness is parish priest of Whitehouse, Belfast, and has had a long experience of Belfast and the surrounding districts, 2785-2787.

Decided objection to the passing of any such Bill as that before the Committee until the Corporation of Belfast is representative of the Roman Catholics of the city as well as of the Protestants, 2788-2792. 2804-2806.—Conclusion also that it is inexpedient and unjust to pass the Bill until the Roman Catholic ratepayers of the counties of Antrim and Down are represented in the county administration; relative Protestant and Catholic population of the two counties, 2793-2806.

Belief that the majority of the governors of the Belfast Asylum are opposed to the present scheme, 2807.—Opinion that when the new asylum at Holywell is erected the system of combined management should be allowed a fair trial pending the establishment of representative government, 2808.

Official connection of witness with the male and female Catholic industrial schools at Belfast, the certified number of children in the two schools being 260, whilst the number in the Protestant schools is 510; 2809-2814.—Exceedingly beneficial operation of these schools in diminishing juvenile crime; statistics to this effect, 2815-2820.

Entire satisfaction with the administration of the industrial schools under the supervision of the grand juries of Antrim and Down, witness strongly deprecating any change of system whereby the Town Council might withhold or reduce the contribution as regards Catholic children, or might in other ways act to the prejudice of the latter, 2823-2842.—Belief that the views of the Town Council as regards the schools would be largely adopted by the local justices, and that much difficulty would be experienced respecting the commitment of Catholic children to the schools; grounds for this conclusion, 2823. 2838-2851.—Contention that in Belfast the commitments to the schools should, as in Dublin, be made by the police magistrate, 2852-2855.

Circumstances of the Corporation of Belfast having never sought to exercise the fiscal powers of the grand jury, 2856-2859.—Total of sixty-seven magistrates on the borough bench, of whom only nine are Roman Catholics, some of the latter being, moreover, disabled by age from attending, 2860-2862.—Arrangement by the bench of a rota, whereby the daily attendance is regulated; very small proportion of Catholic attendances, 2863-2872.—Circumstances of the attendance on Saturday, when industrial school cases are dealt with, being practically Protestant exclusively, 2873-2879.

Reference to a return made by the town clerk to the Royal Commission upon the Belfast riots, as showing that he was well aware of the religion not only of the members of the Town Council but of all their employees, 2880-2885. 2895.—Information in the foregoing return as to the salaries of the employees; total salaries of 14,000*l.* a year, of which only 397 *l.* was paid to Catholics, these being only five in number, 2886-2889.

Statement as to no appointment of any importance being given by the Town Council to Catholics, this being a matter of creed without reference to the question of Home Rule, 2890-2896.—Exclusion also of Catholics from the Harbour Board, 2897.—Equal number of Catholics and of Protestants in the workhouse, whereas out of ninety-four workhouse officials there are only three Catholics, 2899-2908.—Refusal of the board of guardians to appoint a second Catholic nurse, 2909-2911.

Immense difficulties encountered by Catholics in obtaining employment, not only under the corporate bodies but in the linen trade and other trades, 2912-2920.—Great difficulties experienced in obtaining sites for Catholic churches and schools in Belfast in cases where the landlords are Protestants, 2921-2925.—Complaint as to the intolerant treatment of the Catholics as regards the cemetery, 2926-2941.

Conclusion that the Catholics are justified in not having any confidence in the Town Council as now constituted, and as actuated by political motives, some legislative protection being necessary for the former, 2942-2951. 2972. 2986-2994.—Fair treatment of Protestants in Dublin and Cork by the municipalities, as compared with the treatment of Catholics in Belfast, 2952-2958.—Statement upon the question of a division of the existing districts with reference especially to Belfast, Dublin, and Cork, 2957-2963.

Considerable number of Catholics in Belfast who are large employers of labour, there being also many Catholics among the solicitors and other professional men, 2964-2969.—Satisfactory operation of the intermediate system of education as regards the Catholics, witness urging that they should have proper facilities of taking their fair share in the municipal administration, 2970-2972.

Examination upon the question whether there is really good ground for the statements of

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of witness as regards the alleged grievance of Roman Catholics in respect of the cemetery, 2973-3008. 3260-3271.

Statement with further reference to the alleged partiality of the guardians in the appointment of nurses; ground for complaint on this score, 3009-3015. 3179-3186. 3236-3238. 3272-3274. 3284-3286.—Conclusion that Catholics applying for election to the Harbour Board would be rejected; remedy contemplated, 3016-3018. 3198-3205.

Further denial that Catholics are fairly represented in the magistracy; doubt as to any representations having been made on their behalf when Lord Spencer or Lord Aberdeen was Lord Lieutenant, 3021-3034.—Circumstance of one of the two stipendiary magistrates being a Catholic; absence of provision for their attendance by rota, though one usually attends on Saturday when the industrial school cases are dealt with, 3035-3037. 3148-3148. 3275-3279.—Explanation as to the attendance of the magistrates generally by rota or otherwise, witness submitting that Catholic children are not impartially treated as regards admission to the schools, 3038-3040. 3108 *et seq.*; 3228-3235. 3239-3249. 3288-3301.

Examination as to the grounds for witness' conclusion that the Town Council would, under the present Bill, deal unfairly with the Catholics in connection with the industrial schools, whereas witness is quite satisfied with the action of the grand juries of Antrim and Down in this respect, 3041-3048. 3071 *et seq.*—Approval of cumulative voting in Antrim and Down as tending to a fairer representation of the Catholics; reference, hereon, to the small proportion which they bear to the Protestants, not only in Belfast but in Antrim and Down, 3049-3070. 3224.

Circumstances of the grand juries of Antrim and Down having withdrawn their opposition to the present Bill, 3074-3081.—Question considered as to the expediency of the borough magistrates being removable, 3108-3122.—Necessity for the payment of an agent to look after the interests of Catholics where the magistrates are dealing with admissions to the industrial schools; witness, however, brings no personal charge against the Protestant magistrates in the matter, 3123-3148. 3239-3249.

Examination as to the grounds for witness' complaint that Catholics are unfairly excluded from employment under the corporation, 3149-3186. 3225-3227. 3250-3259. 3298.—Statement on the question of Presbyterians having ground for complaint as regards employment under the corporation, 3172-3178. 3301.

Admission that the Harbour Board, though exclusively Protestant, has done its work well, 3187-3197.—Expediency of a re-arrangement of the wards, though by no possibility would the Catholics obtain a majority on the Town Council, 3280-3282.

Harbour Board. Exclusion of Catholics from the Harbour Board, *Hamill* 1897.—Conclusion that Catholics applying for election to the Harbour Board would be rejected; remedy contemplated, *ib.* 3016-3018. 3198-3305.—Admission that the Harbour Board, though exclusively Protestant, has done its work well, *ib.* 3187-3197.

Haslett, Sir James. (Analysis of his Evidence).—Witness is a member of the Corporation of Belfast, and has been mayor and represented one of the divisions of Belfast in Parliament; has been a governor of the Lunatic Asylum for a number of years, 401-405. 412.

Evidence to the effect that the accommodation at the Asylum having been found to be insufficient, 100 patients have been boarded in Ballymena Workhouse for some time past; unsatisfactory nature of this arrangement, 401-409. 474 *et seq.*—Opinion that the present asylum buildings would, with some additions and necessary alterations, be suitable as an asylum for Belfast itself; admission that the Board of Control take a different view of the matter, 410-419. 477-483.

General feeling that the best course to pursue to meet the want of increased accommodation would be to have a separate asylum for the county; statement that the assent of the Lord Lieutenant to the purchase of the site at Bolywell was given on the understanding that separation was to take place, 420 *et seq.*—Grounds for witness' objection to a joint board of management for the two asylums in the event of a decision to send county patients to the Antrim Asylum and city patients to the Belfast one, there being no economy in the proposed joint management, 427-432. 556-589.

Concession of the principle that if anything is done by the County Down officials for Belfast after separation takes place there should be a reasonable payment made for it, 433-435. 443-460.—Desirability of the Corporation of Belfast being placed in the same position as the Corporations of Dublin, Cork, and Limerick in regard to industrial schools and reformatories, as such a course would not involve any unfair treatment of Roman Catholic children; objection to the power of commitment of children to such institutions being given to stipendiaries not interested locally, 436-441. 484-555.

Hoslett, Sir James. (Analysis of his Evidence)—continued.

Impression that the object of the governors of the Belfast Asylum in postponing action in regard to the separation of the districts was to ascertain the ultimate cost of the new asylum before doing anything, 461-473.

Holywell New Asylum. See *Joint or Separate Management.* *New Asylum.*

Hospital Governors. Rejection of proposed amendment of Clause 3 by substituting the Governors of the Hospital for the Corporation, *Rep.* vii.

I.

Imbeciles and Idiots. See *Workhouse.*

Incidence of Cost. See *Expenses.*

INDUSTRIAL AND REFORMATORY SCHOOLS:

Explanation that by Clause 9 of the Bill the Corporation of Belfast ask to be placed in the same position as the Corporations of Dublin, Cork, and Limerick in regard to reformatories and industrial schools; absence of any reason for supposing that the Corporation would be unfair to Roman Catholic children, *Black* 82-93. 153 *et seq.*; 197-208. 314-331. 340-358.

Desirability of the Corporation of Belfast being placed in the same position as the Corporations of Dublin, Cork, and Limerick in regard to industrial schools and reformatories, as such a course would not involve any unfair treatment of Roman Catholic children; objection to the power of commitment of children to such institutions being given to stipendiaries not interested locally, *Hoslett* 436-441. 484-550.

Opinion that there is no reason for the suggestion that, in the event of the powers sought by the Bill in regard to industrial schools and reformatories being conferred on the Corporation, those powers would be unfairly exercised as regards Roman Catholics, *Dixon* 705-719. 736; 737. 748-751. 759-761.

Absence of any real foundation for the suggestion that the Belfast Corporation would behave unfairly to Roman Catholic children if the proposal as to industrial schools and reformatories be passed; witness has no knowledge of any complaints of unfair treatment, *Connor* 787, 789. 809 *et seq.*; 867-873. 895, 896.

Importance attached by witness to the maintenance of the system of industrial schools; opinion that the schools have been hitherto administered in a satisfactory manner by the juries of Antrim and Down, and that no change is necessary, *McLorinan* 1304-1308. 1369-1371. 1516-1530.—Belief that the entowment of the Corporation with the financial control of industrial schools might result in a refusal to subsidise convent schools and that children would probably be committed to schools of a different faith; statement that if any change be made the stipendiary magistrates would be the proper parties to exercise the necessary control, *ib.* 1309-1336. 1372-1401. 1441-1466. 1470. 1508-1515.

Proposition that the power of commitment to industrial schools should be left to the stipendiary magistrates who are without local prejudice and on that account might fairly be trusted to act impartially, *McLorinan* 1490-1507; *Deansy* 1741-1757. 2013-2015; *McAlister* 2301-2311. 2391-2405. 2505-2517.

Statement that in the event of the proposed Bill being passed the powers of the Corporation in regard to industrial schools would be absolute, and judging from past experience, might be used in a way prejudicial to the interests of the Catholic schools, *Deansy* 1707-1740. 1759-1761. 1773. 1980-2003. 2008-2012. 2076-2089.—Explanation of the course hitherto adopted in regard to the commitment of children to industrial schools; admission that witness cannot quote any case of injustice done by the borough magistrates, *ib.* 1949-1959.

Explanation that the contribution to industrial schools is purely voluntary, and could be withheld or applied in such proportions as regards Protestant or Catholic institutions as might be chosen by the Grand Jury or Corporation making such grants, *O'Farrell* 2106-2119. 2127.

Possibility that, if the power over the industrial schools be transferred from the Grand Juries to the Corporation, the latter might with perfect ease cripple, if not destroy, the two Catholic schools; belief that the local magistrates would fall in with any policy adopted by the Town Council, *McAlister* 2275-2300. 2372-2391. 2469-2517.

Concurrence in the evidence given by the Bishop of Down and Connor that there are many ways in which the Corporation could, if the Bill be passed, cripple or destroy the Catholic industrial schools; probability that the local justices would follow out any policy intimated by the Town Council, *McCormick* 2549-2574. 2638-2652. 2669-2678. 2694-2699; *McCush* 2724-2784.

INDUSTRIAL AND REFORMATORY SCHOOLS—continued.

Management of the Catholic Male Industrial School by witness and a committee gratuitously, *McCarban* 2706-2708.—Extreme importance of the preservation of the school to the Catholics of the northern province of Ireland, it being the only male industrial school in Ulster; practical dependence of the existence of the school on commitments from Belfast, *ib.* 2709 *et seq.*—Satisfaction with the treatment that the school has received from the grand juries of Antrim and Down; disapproval of any change as to the control of the school, *ib.* 2714-2721.

Official connection of witness with the male and female Catholic industrial schools at Belfast, the certified number of children in the two schools being 260, whilst the number in the Protestant schools is 510, *Hamill* 2829-2834.—Exceedingly beneficial operation of these schools in diminishing juvenile crime; statistics to this effect, *ib.* 2813-2820.

Entire satisfaction with the administration of the industrial schools under the supervision of the grand juries of Antrim and Down, witness strongly deprecating any change of system whereby the Town Council might withhold or reduce the contribution as regards Catholic children, or might in other ways act to the prejudice of the latter, *Hamill* 2829-2834.

Belief that the views of the Town Council, as regards the schools, would be largely adopted by the local justices, and that much difficulty would be experienced respecting the commitment of Catholic children to the schools; grounds for this conclusion, *Hamill* 2833-2838, 2851.

Examination as to the grounds for witness' conclusion that the Town Council would under the present Bill deal unfairly with the Catholics in connection with the industrial schools, whereas witness is quite satisfied with the action of the grand juries of Antrim and Down in this respect, *Hamill* 3041-3048, 3071 *et seq.*

See also *Magistrates*.

J.

JOINT OR SEPARATE MANAGEMENT.

Grounds for witness' objection to a joint board of management for the two asylums in the event of a decision to send county patients to the Antrim Asylum, and city patients to that of Belfast; absence of economy in the proposed joint management, *Harlett* 437-439, 556-589.—Belief that there would be no economy whatever in having a joint board for the management of the Belfast and Antrim Asylums; preference of witness for complete administrative separation, *Dixon* 602, 603, 636-645, 676-704, 720 *et seq.*—Concurrence in the opinion that there would be no economy in the proposed joint management of the asylums at Belfast and Holywell; objection to joint management being tried, *Connor* 781, 784-802, 882-891, 897.

Grounds for the opinion that there should be a separate executive management for the Belfast and Holywell Asylums; belief that there would be no economy or convenience in having them under one management, *Merriell* 914-936, 956-995.—Impracticability of a suggestion that the agricultural portion of the patients should be sent to a county asylum, and the town portion to a town asylum, *ib.* 943-950.

Grounds for the conclusion that if there be separate asylums there should be distinct and separate managements, *O'Farrell* 1091-1093, 1190 *et seq.*

Opinion that before separate boards of management are established for the two asylums the system of combined supervision under one board should have a fair trial, *McLennan* 1283-1286.

Conclusion that the proposed separation of the boards of governors would lead to friction and to increased expenditure, which would fall upon the city ratepayers, and that the present system is better and more economical than that contemplated by the Bill; details in support of above contention, *Despsey* 1513, 1615-1621, 1626-1628, 1638-1688, 1807, 1808, 1817-1821, 1882-1896.

Further examination respecting the inadvisability of having two distinct boards of management for the city and the county asylums, *Despsey* 1843-1849.—Explanation that witness is not totally opposed to the institution of separate boards of management, but is of opinion that before such an experiment is tried the joint management scheme should have a fair trial; admission that under certain circumstances separation might become necessary, *ib.* 1858-1869.

Attention drawn to the fact that the scheme for separate districts is pressed forward against the judgment of the majority of the governors of the asylum, *McDister* 2201-2210, 2349-2350.—Certainty that the establishment of two separate systems of expenditure will result in a great loss to the ratepayers, *ib.* 2211.—Belief that if the two asylums were managed by one board there would be less friction and greater facility

JOINT OR SEPARATE MANAGEMENT—continued.

in transferring inmates from one asylum to the other; anticipation that the health of the inmates would also be benefited, *McAlister* 2143-2250, 2369-2371, 2464, 2465.

Opinion that when the new asylum at Holywell is erected the system of combined management should be allowed a fair trial pending the establishment of representative government, *Hazell* 2808.

See also *Corporation of Belfast. New Asylum. Magistrates. Roman Catholics.*

L.

Local Government Board. View of witness that the insane should not come under the Local Government Board, but under the Commissioners of Lunacy, and that as the subject is a speciality it should be treated as such, *Merrick* 1029, 1046-1050.

Lord Lieutenant. See *Governors of Asylum. Magistrates. New Asylum.*

Lunacy Board. Distinct functions of the Inspectors of Lunatics; view of the Inspectors that there should be a strong Lunacy Board for Ireland, *O'Farrell* 1112-1117.

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Explanation that witness adopts the recommendations and supports the prayer of the petition of the Catholic ratepayers against certain proposals in the Belfast Corporation Bill, belief that the petition faithfully represents the Catholic body in Belfast, 2146-2153, 2406-2411.—Evidence to the effect that under the present system the Catholic ratepayers have no power of recommendation or remonstrance in regard to the appointment of the governors of the lunatic asylum, 2151-2155, 2466 *et seq.*

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View of witness that the whole 450 insane persons in the Belfast workhouse should be under asylum treatment; evidence to the effect, however, that the accommodation at the asylum would be exhausted if only 200 were transferred, 2254-2261, 2452, 2453.—Opinion that the scheme for separating the districts would involve a serious loss to the

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McCash, The Rev. Daniel. (Analysis of his Evidence.)—Witness is the corresponding manager of the Catholic Male Industrial School of Belfast, which is managed by witness and a committee, gratuitously, 2706-2708.

Extreme importance of the preservation of witness' school to the Catholics of the northern province of Ireland, it being the only male industrial school in Ulster; practical dependence of the existence of the school on commitments from Belfast, 2709 *et seq.*—Satisfaction with the treatment that the school has received from the Grand Jurors of Antrim and Down; disapproval of any change being made as to the control of the school, 2714-2724.

Agreement of witness with the Bishop of Down and Connor as to the various ways in which the Town Council of Belfast could injure the school, under the Bill; great danger of the local bench following up any prejudicial action taken by the Council, 2724-2784.

McCormick, William. (Analysis of his Evidence.)—Witness is a ratepayer and a hurgess of Belfast, having been in business as a house agent for many years; is one of the signatories to the Roman Catholic petition against the Belfast Corporation (Lunatic Asylum, &c.) Bill, 2524-2528.

Statement that the petition faithfully represents the views of the Catholics of Belfast; overwhelming Catholic opinion against any absolute control over the lunatic asylum or industrial schools being given to the Town Council, 2529-2536, 2602-2621, 2653 *et seq.*; 2700, 2701.—Opinion that the system of exclusion adopted by the Belfast Corporation in their management of public affairs in regard to Catholics is simply an ostracism of creed; contention that witness' co-religionists are quite equal in mental capacity, education, and position to the members of the Town Council, 2536-2548, 2602-2637, 2679 *et seq.*

Agreement of witness with the evidence given by the Bishop of Down and Connor that there are many ways in which the Corporation could, if the Bill be passed, cripple or destroy the Catholic industrial schools; probability that the local justices would follow out any policy initiated by the Town Council, 2549-2574, 2638-2652, 2669-2678, 2694-2699.—Belief that any fair redistribution of the wards of Belfast would give the Catholics a proper representation on the Town Council; view of witness that such representation should precede the passing of the Bill, 2575-2582, 2653-2668, 2680-2693.

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McLorran, Charles. (Analysis of his Evidence.)—Witness is engaged in trade at Belfast; has resided in that city for sixty years, and is a ratepayer and hurgess, 1204-1205, 1206.

Opinion that the Catholic Petition, to which witness is one of the signatories, expresses faithfully the views of the Catholic community of Belfast, 1207-1233, 1337-1347.—Exceptions taken to the proposed Bill whereby the Corporation seek power to control the government of the City Asylum and to administer the funds in regard to industrial schools; objections thereto on the ground that Catholicism is not fairly represented, together with a memorandum on the subject, showing the condition of

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members of that faith with respect to the public boards and public employment, 1234-1286, 1409-1411.

Statement that witness has no knowledge of any Catholics who would prefer being represented or dealt with magistrally by persons of other creeds, 1287-1289.—Objections to the proposal that the Corporation of Belfast should have the power of nominating twelve out of twenty-two governors for the City Asylum; assertion that under this arrangement the Catholics would be debarred from exercising any control over the administration of the asylum, 1270-1275, 1351-1365, 1639-1654, 1589-1591.

Belief that the transference of patients from Belfast to Holywell, and *vice versa*, would be advantageous not only to the patients themselves but to the public generally, 1276-1284, 1432-1436, 1555-1560.—Opinion that before separate boards of management are established for the two asylums the system of combined supervision under one board should have a fair trial, 1286, 1286.

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Importance attached by witness to the maintenance of the system of industrial schools; opinion that the Belfast schools have been hitherto administered in a satisfactory manner by the juries of Antrim and Down, and that no change is necessary, 1304-1308, 1369-1371, 1516-1530.—Belief that the endowment of the Corporation with the financial control of industrial schools might result as a refusal to subsidize convent schools, and that children would probably be committed to schools of a different faith; statement that if any change be made the stipendiary magistrates would be the proper parties to exercise the necessary control, 1309-1336, 1372-1401, 1441-1466, 1470, 1508-1516.

Examination respecting the number of Catholics in employment at the various trades carried on in Belfast, in support of the contention of witness that members of that faith are kept out of employment by the Protestants, 1410-1431.—Reference to the recommendations of the Royal Commission of 1886 in regard to the limitation of the powers of magistrates as to sitting on the bench; admission that there has been no cause for complaint as regards the conduct of any of these gentlemen, 1437-1440.

Further evidence respecting the alleged disproportion as regards Catholic representation in the Belfast Corporation and on the bench of magistrates; contention that as Roman Catholics form one-fourth of the population of that city they should be represented in due proportion, 1467-1489, 1581-1588.—Explanation in reference to the opinion expressed by witness that the stipendiary magistrates should be entrusted with the control to the proper schools of industrial school children, 1490-1507.

Magistrates. Reference to the recommendations of the Royal Commission of 1886 in regard to the limitation of the powers of magistrates in Belfast as to sitting on the bench; admission that there has been no cause for complaint as regards the conduct of any of these gentlemen, *M'Levinson* 1437-1440.—Examination respecting the statement that out of forty members of the Belfast Corporation some five-and-twenty sit on the magistrates' bench, *Denney* 1746, 1747, 1759-1765.—Admission that the proportion of Catholic magistrates in Belfast is larger than that of Antrim or Down, *ib.* 1766-1772.

Refusal of the Lord Lieutenant of County Antrim to appoint Catholics as magistrates, although acknowledging them to be qualified, *McAlister* 2485-2488, 2500, 2521.

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Further denial that Catholics are fairly represented in the magistracy; doubt as to any representations having been made on their behalf when Lord Spencer or Lord Aberdeen was Lord Lieutenant, *Hamill* 3022-3034.—Explanation as to the attendance of the magistrates generally by rota or otherwise, witness submitting that Catholic children are not impartially treated as regards admission to the schools, *ib.* 3038-3040, 3108 *et seq.*; 3218-3235, 3239-3249, 3288-3301.—Question considered as to the expediency of the borough magistrates being removable, *ib.* 3108-3124.

Necessity for the payment of an agent to look after the interests of Catholics where the magistrates are dealing with admissions to the industrial schools; witness, however, brings

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brings no personal charge against the Protestant magistrates in the matter, *Hawill* 3123-3148. 3239-3249.

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Merrick, Dr. Alexander Stuart. (Analysis of his Evidence.)—Witness has been medical superintendent of the Belfast Lunatic Asylum for seventeen years; has had a very large experience in the treatment of the insane, 898-902.

Evidence to the effect that on the 31st December 1891 there were 671 patients on the books of the Asylum, 100 of whom were at Ballymena Workhouse, the accommodation at Belfast being inadequate; opinion that the location of patients at Ballymena is an unsatisfactory arrangement, 903-910—Estimate that the Asylum will, when the contemplated additions are made, be sufficient for fourteen or fifteen years to come, the average increase being twelve patients per annum for the city, 910-913. 995 *et seq.*; 1014-1023. 1035-1040. 1051-1055. 1064-1075.

Grounds for the opinion that there should be a separate executive management for the Belfast and Holywell Asylums; belief that their would be no economy or convenience in having them under one management, 914-935. 958-965—Unsuitability of the proposed Holywell Asylum as a convalescent home for Belfast patients, 937-939. 973-979. 1080-1082.

Conclusion that the mortality and rate of recovery of patients at the Belfast Asylum compare favourably with those at similar asylums, 940-942—Impracticability of the suggestion that the agricultural portion of the patients should be sent to a country asylum and the town portion to a town asylum, 943-950.

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Recommendation that when the Belfast Asylum becomes the City Asylum the entire buildings should be sold, and that whatever accommodation is then required should be built a mile or two further out of Belfast, 1007-1014. 1056-1058.

Agreement of witness with the report made by Dr. O'Farrell and Dr. Courtenay as to the miserable condition of the insane inmates of the Belfast workhouse; opinion that these unfortunate people should be put into such an institution as those at Catterham and Levensden, 1024-1034. 1043-1050. 1076-1079—View of witness that the insane should not come under the Local Government Board, but under the Commissioners of Lunacy, and that as the subject is a speciality it should be treated as such, 1059. 1046-1050.

Disapproval of any suggestion to do away with the airing courts of Belfast Asylum; the question of the provision of recreation and employment for men coming from manufactories and mills has been engaging the attention of the Board of Governors for many years, 1041, 1042.

Metropolitan Asylums Board. Satisfactory administration by the Metropolitan Asylums Board, each Asylum having a separate sub-committee, *O'Farrell* 1125-1129.

Mortality (Belfast Asylum). Statement that the mortality and rate of recovery of patients at the Belfast Asylum compare favourably with those at similar asylums, the mortality being about 5 per cent., and the rate of recovery about 44 per cent., *Merrick* 940-944.

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New Asylum (Holywell). Action taken by the Governors of the Asylum with the sanction of the Lord Lieutenant, to acquire a site for a new asylum at Holywell, near Antrim, on the understanding that the city and the county were to be separated, *Black* 59-74. 209-252—Unsuitability of the proposed Holywell Asylum as a convalescent home for Belfast patients, *Merrick* 937-939. 973-979. 1080-1082—Statement that a great length of time must elapse before the Holywell Asylum could be opened, during which time the whole expense of the maintenance of the insane would devolve upon the city ratepayers, *Dempsey* 1703-1714. 1870-1875.

Correspondence in 1889-92 between the Town Council of Belfast, the County Authorities, and the Governors of the District Lunatic Asylum, upon the question of a separate Asylum for the county, pp. 54-60.

See also Accommodation. Asylum Districts. Joint or Separate Management.

Number of Patients. Expediency of the number of patients in one Asylum not exceeding 600, it being important that a new Asylum for Antrim should be planned and managed by the representatives of the county, *O'Farrell* 1160-1172.

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Nurses (Belfast Workhouse). Statement that in the workhouse at Belfast only one out of fifty-two nurses is a Catholic, the Board of Guardians having absolutely refused to appoint more; frequency of cases in which Catholic inmates die without receiving the last rites of their Church because the clergy have not been sent for by the nurses, *McAlister* 2218-2236, 2263, 2364, 2435-2443.—Refusal of the Board of Guardians to appoint a second Catholic nurse, *Hamill* 2909-2911.—Statement with further reference to the alleged partiality of the guardians in the appointment of nurses; ground for complaint on this score, *ib.* 3009-3015, 3179-3186, 3236-3238, 3278-3274, 3284-3286.

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O'Farrell, Dr. George Phokett. (Analysis of his Evidence.)—Witness is an Inspector of Lunatics in Ireland, and is a Commissioner of Control and a member of the Board, 1083, 1084.

Sufficiency for some time to come of the present Belfast Asylum, including the alterations to be made, 1085, 1086.—Sanction by the Board of Control, as a building board, of a site at Holywell for an asylum for County Antrim, upon the understanding that a separation was to take place between the city and the county; promotion of the present Bill by the Board, 1086-1090, 1100-1102, 1121-1124.

Grounds for the conclusion that if there be separate asylums there should be distinct and separate managements, 1091-1093, 1120 *et seq.*—Increasing tendency in England and Scotland for boroughs to have their own asylums, 1092-1094, 1131-1133.—Arrangement proposed under the present Bill for the transfer of lunatics from one asylum to another, 1095.—Advantage of a small convalescent home at the sea-side, apart from the Holywell Asylum, 1096, 1097.—Exceptions taken to a classification of patients between the two asylums, 1098, 1099.

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Advantage of disposing, in course of time, of the present site and building, and erecting a new asylum outside the city, 1148-1151, 1163.—Expediency of the number of patients in one asylum not exceeding 600, it being important that a new asylum for Antrim should be planned and managed by the representatives of the county, 1150-1172.—Advantage if Dublin city were constituted a separate Asylum District; difficulty raised on the part of the Corporation, 1166-1168, 1220, 1221.

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[Second Examination.]—Explanation that witness was formerly an inspector of industrial schools, 2090.—Statement to the effect that the Grand Jury of Cavan no longer contributes to industrial schools of either denomination, and that consequently any children committed to these schools have to be provided for by the managers out of their funds, 2091-2105, 2120-2122.

Explanation that the contribution to industrial schools is purely voluntary, and could be withheld or applied in such proportions as regards Protestant or Catholic institutions as might be chosen by the grand jury or corporation making such grants, 2105-2119, 2127.—Statement as to the power of the Lord Lieutenant to fix the number of governors of lunatic asylums, 2136-2138.

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Statement that witness adopts the recommendations and supports the prayer of the petition of the Catholic ratepayers against certain proposals in the Belfast Corporation Bill; belief that the petition faithfully represents the Catholic body in Belfast, *McAlister* 2146-2151. 2406-2411.

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Presenting Power. Statement on the subject of Belfast not having presenting power or the power of taking over the asylums, so that it was deemed advisable to obtain the required power under a Private Bill, *O'Farrell* 1134-1144.

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Unfairness of the policy of the Corporation of Belfast in throwing each burden as it arises, including the expenses under the Bill, upon the general purposes rate; undue pressure of the rates, as at present fixed in Belfast, upon the working classes, *McCormick* 2584-2602. 2702-2705.

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Recreation of Inmates. Disapproval of any suggestion to do away with the hiring courts of Belfast Asylum; the question of the provision of recreation and employment for men coming from manufactories and mills has been engaging the attention of the Board of Governors for many years, *Merrick* 1041, 1042.

Redistribution of Wards. Desirability of the appointment of a Commission for redistribution of the wards in Belfast, so as to give a fair representation to all classes of the inhabitants, *McLorain* 1302, 1303. 1402-1408. 1531-1534—Approval of the suggestion that a commission should be appointed to make a division of the wards with a view of giving fair representation to different classes of the inhabitants, which is not secured under the present arrangements, *Denpsey* 1758. 1913. 1963-1979. 2081-2075.

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Further evidence respecting the alleged disproportion as regards Catholic representation in the Belfast Corporation and on the bench of magistrates; contention that as Roman Catholics form one-fourth of the population of that city they should be represented in due proportion, *McLorain* 1467-1489, 1581-1588.

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Opinion that the system of exclusion adopted by the Belfast Corporation in their management of public affairs in regard to Catholics is simply an ostracism of creed; contention that witnesses' co-religionists are quite equal in mental capacity, education, and position to the members of the Town Council, *McCormick* 2536-2548, 2622-2637, 2679 *et seq.*

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View of witness that the whole 450 insane persons in the Belfast Workhouse should be under asylum treatment; evidence to the effect, however, that the accommodation at the asylum would be exhausted if only 200 were transferred, *McAlister* 2254-2261. 2452, 2453.

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